PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

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MITIGATED NEGATIVE DECLARATION

Date of Publication of Preliminary Negative Declaration: December 10, 2005

Lead Agency: San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, California 94103-2414

Agency Contact Person: Joy Navarrete Telephone: (415) 558-5975

Project Title: 2004.0165E – One Kearny Street, Historic Rehabilitation and Addition

LLC

y, MK Equities Group LLC Telephone: (415) 398-9200

0 Market Street, San Francisco, CA 94104

Assessor's Block and Lot: Block 0312, Lots 03 and 10

a 10,516 square-foot triangular parcel comprised of two lots on the northwest corner s. The project is the merger of Lots 3 and 10 in Assessor's Block 312; the owntown Retail) zoning on Lot 3 to C-3-O (Downtown Office); the reclassification ulk District to a 140-X Height and Bulk District on Lots 3 and 10; the structural ategory I Mutual Savings Bank Building (One Kearny Street) and its 1964 addition ed existing three-story 710 Market Street Building (Lot 3); and the construction of a ismic support to the west side of the existing Mutual Savings Bank Building. The ilitation of the existing Mutual Savings Bank Building and Annex would add) of office space for a total of 78,260 sq.ft. of office space; add approximately 180 3,385 sq.ft. of residential space, add approximately 110 sq. ft. of retail space for a dd 9,280 sq. ft. of new restaurant space. The ground floor would contain retail and ain restaurant space. Floors 3-10 of the new addition would contain office space. ce, and restaurant floors (floors 2-11) would have an entrance on Geary Street. The also have an entrance on Geary Street, as well as on Market Street. A separate restaurant uses in the Annex will be at the intersection of Market, Kearny, and bank space from Market Street will be retained. The project site is in the C-3-0 and on-Sutter Conservation District, and an 80-130-F Height and Bulk District. The ination of Compliance under Section 309 of the *Planning Code*, a Permit to Alter, and a variance for required open space. Section 309 Compliance involves a public hearing process before the Planning Commission.

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance) and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. No mitigation measures are included in this project to avoid potentially significant effects.

ted Negative Declaration certified on: February 16, 2006

Paul Maltzer
Environmental Review Officer

elly, Project Applicant; Mary Murphy, Esq., Project Attorney; Adam Light - Planning Department; Supervisor istrict 6; Historic Distribution List; Planning Commission; Bulletin Board; Master Decision File.

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MITIGATED NEGATIVE DECLARATION

Date of Publication of Preliminary Negative Declaration: December 10, 2005

Lead Agency: San Francisco Planning Department
1660 Mission Street, Suite 500
San Francisco, California 94103-2414

Agency Contact Person: Joy Navarrete Telephone: (415) 558-5975

Project Title: 2004.0165E – One Kearny Street, Historic Rehabilitation and Addition
Project Sponsor: One Kearny Street LLC
Project Contact Person: Mike Kelly, MK Equities Group LLC Telephone: (415) 398-9200

Project Address: 1 Kearny Street/710 Market Street, San Francisco, CA 94104
City and County: San Francisco **Assessor's Block and Lot:** Block 0312, Lots 03 and 10

Project Description: The project site is a 10,516 square-foot triangular parcel comprised of two lots on the northwest corner of Market, Geary, and Kearny Streets. The project is the merger of Lots 3 and 10 in Assessor's Block 312; the reclassification of the current C-3-R (Downtown Retail) zoning on Lot 3 to C-3-O (Downtown Office); the reclassification of the existing 80-130-F Height and Bulk District to a 140-X Height and Bulk District on Lots 3 and 10; the structural upgrade of the architecturally historic Category I Mutual Savings Bank Building (One Kearny Street) and its 1964 addition (the Annex); the demolition of the unrated existing three-story 710 Market Street Building (Lot 3); and the construction of a ten-story addition that would provide seismic support to the west side of the existing Mutual Savings Bank Building. The proposed new addition and the rehabilitation of the existing Mutual Savings Bank Building and Annex would add approximately 18,030 square feet (sq.ft.) of office space for a total of 78,260 sq.ft. of office space; add approximately 180 sq.ft. of residential space for a total of 3,385 sq.ft. of residential space, add approximately 110 sq. ft. of retail space for a total of 8,140 sq. ft. of retail space; and add 9,280 sq. ft. of new restaurant space. The ground floor would contain retail and bank space and the 2nd floor would contain restaurant space. Floors 3-10 of the new addition would contain office space. An elevator lobby for the residential, office, and restaurant floors (floors 2-11) would have an entrance on Geary Street. The retail space at 710 Market Street would also have an entrance on Geary Street, as well as on Market Street. A separate entrance into the retail and second floor restaurant uses in the Annex will be at the intersection of Market, Kearny, and Geary Streets. The entrance to the retail/bank space from Market Street will be retained. The project site is in the C-3-0 and C-3-R Districts, the Kearny-Market-Mason-Sutter Conservation District, and an 80-130-F Height and Bulk District. The proposed project would require a Determination of Compliance under Section 309 of the *Planning Code*, a Permit to Alter, and a variance for required open space. Section 309 Compliance involves a public hearing process before the Planning Commission.

THIS PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance) and 15070 (Decision to Prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. No mitigation measures are included in this project to avoid potentially significant effects.

Final Mitigated Negative Declaration certified on: February 16, 2006

Paul Maltzer
Environmental Review Officer

CC: Mike Kelly, Project Applicant; Mary Murphy, Esq., Project Attorney; Adam Light, Planning Department; Supervisor Chris Daly District 6; Historic Distribution List; Planning Commission; Bulletin Board; Master Decision File.

INITIAL STUDY
One Kearny Street Historic Rehabilitation and Addition
(Case No. 2004.0165E)

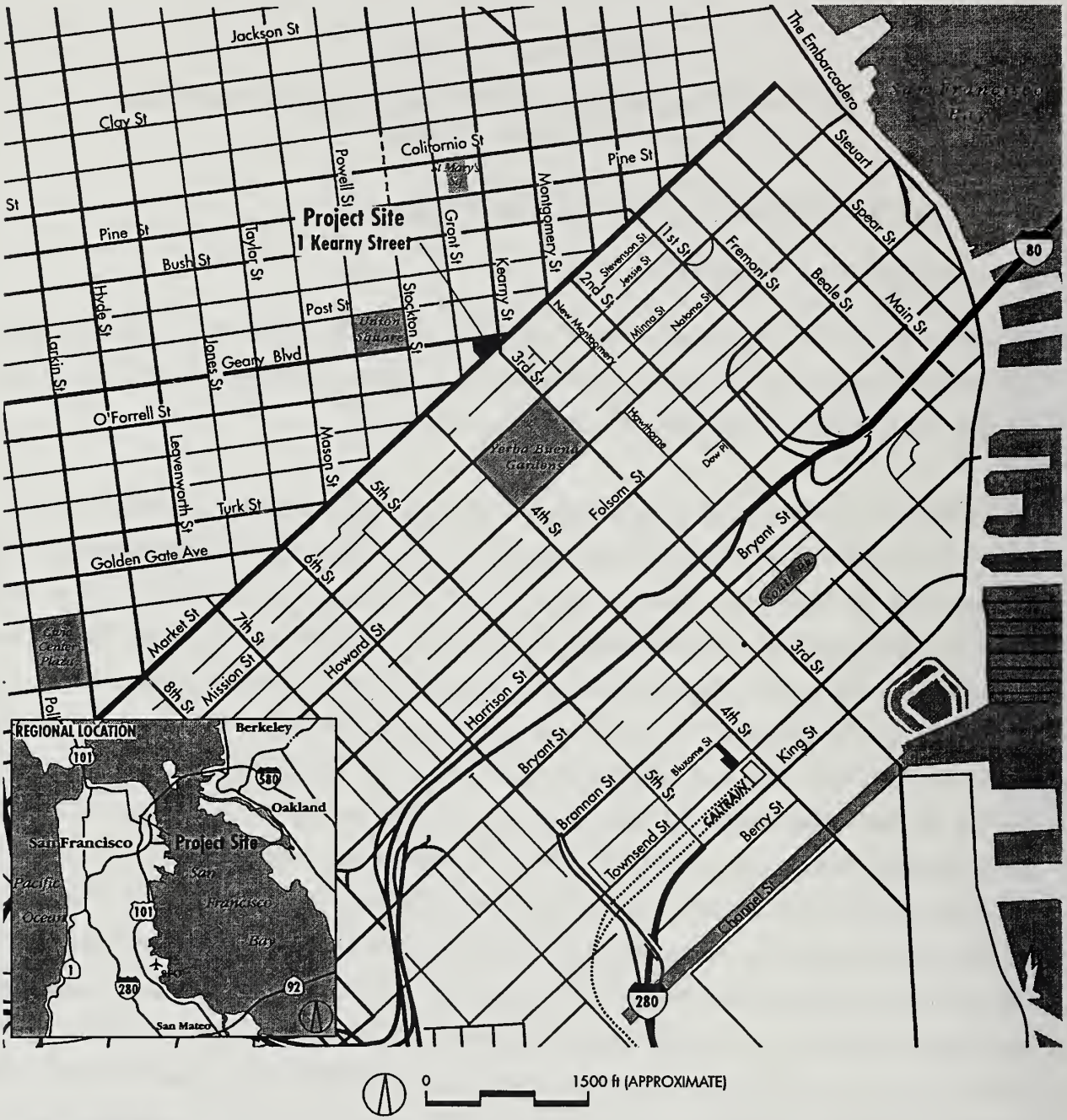
I. PROJECT DESCRIPTION AND SETTING

A. PROJECT DESCRIPTION

The project site is a 10,516-square-foot triangular parcel comprised of two lots in Assessor's Block 312 on the northwest corner of Market, Geary and Kearny Streets (see Figure 1, page 2). There are presently three buildings on the two parcels (see Figure 2, page 3).

Lot 10 is the easterly triangular parcel bounded by the intersection of Geary, Kearny, and Market Streets. It contains two structures: the original 12-story (174-foot-tall) 1902 Citizen's Savings Bank Building, now the Mutual Savings Bank Building (at One Kearny Street), and the 11-story 1964 Annex Building (the "Annex") on the Bank Building's eastern side (also at One Kearny Street). The Mutual Savings Bank at One Kearny Street contains approximately 58,520 gross square feet (sq. ft.), which includes approximately 3,970 sq. ft. of ground-floor commercial banking use; approximately 44,755 sq. ft. of office use; one residential unit, which extends into the Annex, at approximately 2,625 sq. ft.; and approximately 7,170 sq. ft. of basement, elevator, and circulatory uses. The 1964 Annex Building contains approximately 18,840 sq. ft., which includes approximately 4,950 sq. ft. of office use, approximately 580 sq. ft. of residential use, and approximately 13,310 sq. ft. of basement, elevator, and circulatory use. Together, the two structures commonly known as One Kearny Street and the Annex contain approximately 77,360 sq.ft. Lot 3 is a dog-legged parcel containing the vacant three-story, 48-foot-tall, approximately 19,780-sq.-ft. Magee Building (at 710 Market Street), with 4,060 sq. ft. of ground-floor retail space, 10,525 sq. ft. of office space, and 5,195 sq. ft. of basement, elevator, and circulatory uses. Market Street is located on the project's southern boundary (entrance at 710 Market Street), Geary Street is on the northern boundary (entrance at 31 Geary Street), and Kearny Street is on the eastern boundary.

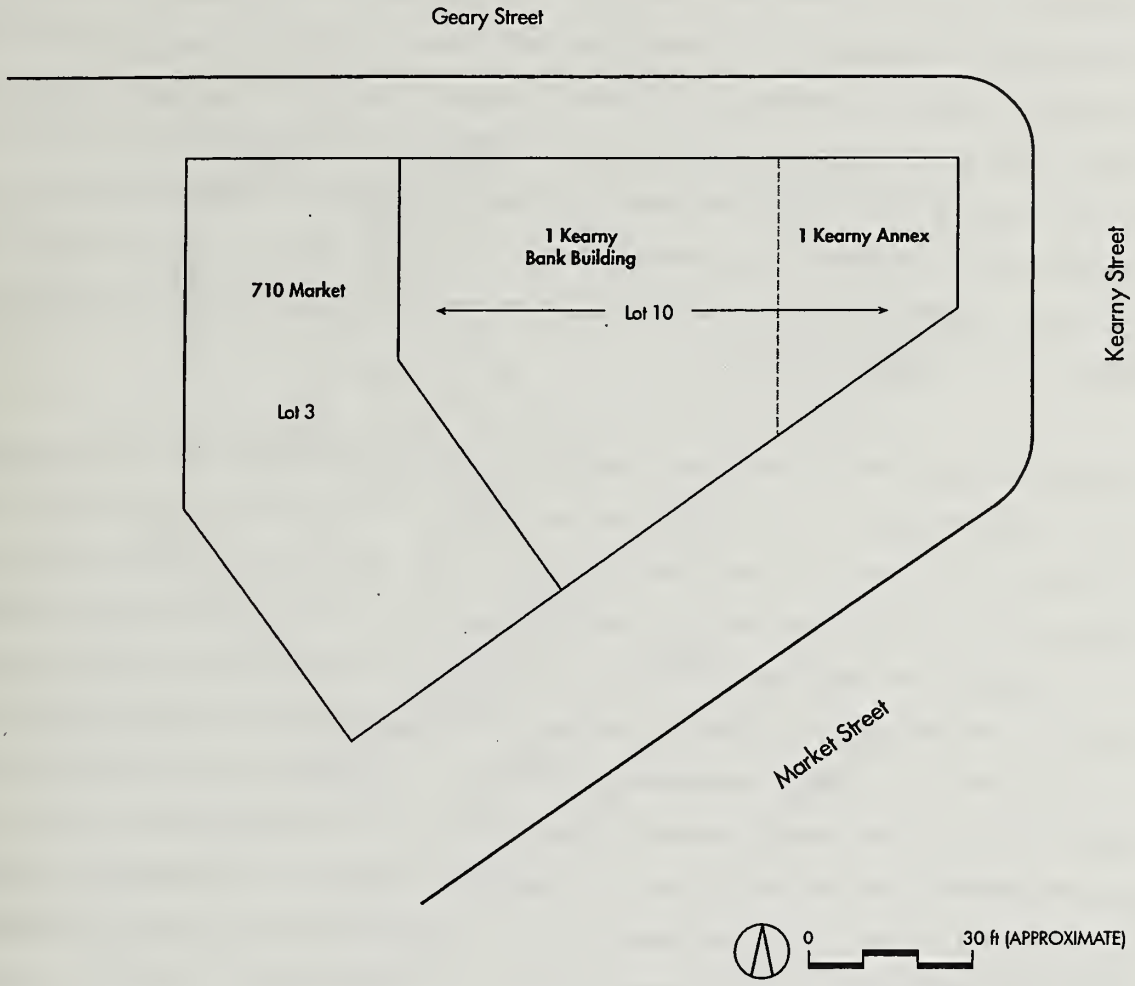
The project site is in two zoning districts, and is within the Kearny-Market-Mason-Sutter Conservation District. 710 Market is in the C-3-R (Downtown Retail), and One Kearny is the C-3-O (Downtown Office). Both lots are in the 80-130-F Height and Bulk District.



Source: During Associates

10·3·05

Proposed Project Location Figure 1



Source: Charles F. Bloszies, Architecture | Structures

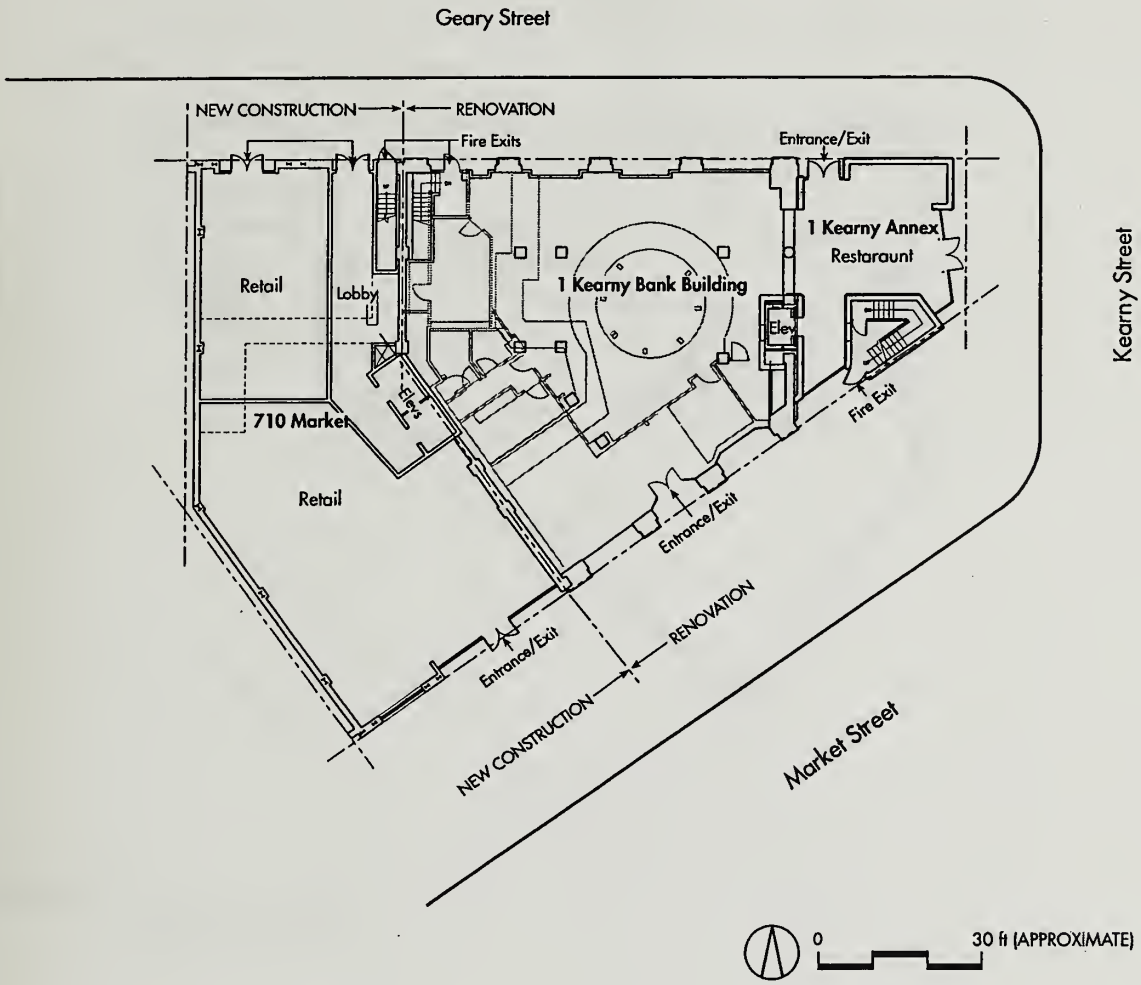
11·18·05

Project Site Figure 2

The proposed project would merge Lots 3 and 10 in Assessor's Block 312; reclassify the current C-3-R zoning at 710 Market Street (Lot 3) to C-3-O to be consistent with the zoning at the One Kearny lot; reclassify the existing 80-130-F Height and Bulk District to a 140-X Height and Bulk District; structurally upgrade the architecturally historic Category I Mutual Savings Bank Building (One Kearny Street) and the Annex Building (the 1964 addition also at One Kearny Street) while retaining their building envelopes; demolish the existing unrated three-story 710 Market Street Building; and construct a ten-story addition (a separate structure with a shared hallway on floors two through ten) that would add seismic support to the west side of the existing Mutual Savings Bank Building (see Figures 3 to 10, pages 5 to 12).

The proposed rehabilitation of the Annex would add approximately 7,465 sq. ft. of office space for a total of approximately 12,415 sq. ft.; would add 180 sq. ft. of residential space to the existing dwelling unit for a total of approximately 760 sq. ft.; would remove approximately 8,690 sq. ft. of building/circulatory space for a total of approximately 4,620 sq. ft; and would add approximately 920 sq. ft. of ground-floor retail and 1,640 sq. ft. restaurant space where currently there is none. The proposed rehabilitation of the Mutual Savings Bank building would remove approximately 6,910 sq. ft. of office space for a total of approximately 37,845 sq. ft.; would add approximately 4,140 sq. ft. of restaurant space where there is currently none; and would add approximately 3,510 sq. ft. of basement, building, and circulatory space. The proposed addition at 710 Market Street, would add approximately 17,475 sq. ft. of office space, for a total of approximately 28,000 sq. ft.; would remove approximately 810 sq. ft. of retail space for a total of approximately 3,250 sq. ft.; would add approximately 10,425 sq. ft. of basement, circulatory, and elevator space for a total of 15,620 sq. ft.; and would add approximately 3,500 sq. ft. of restaurant space.

The total proposed project, including the proposed new addition at 710 Market Street, and the rehabilitation of the existing Mutual Savings Bank Building and of the Annex, would add a new 9,280 sq. ft. restaurant on the second floor (including a new mezzanine level in the Annex only), and would add approximately 18,030 sq. ft. of office space for a total of 78,260 sq. ft. of office space. It would add approximately 180 sq. ft. of residential space for a total of approximately 3,385 sq. ft. (retaining the existing unit); and it would increase the amount of retail space by approximately 110 sq. ft. for a total of approximately 8,140 sq. ft. It would add approximately 5,245 sq. ft. of basement/circulatory/elevator space for a total of approximately 30,920 sq. ft. The total proposed



Source: Charles F. Bloszies, Architecture | Structures

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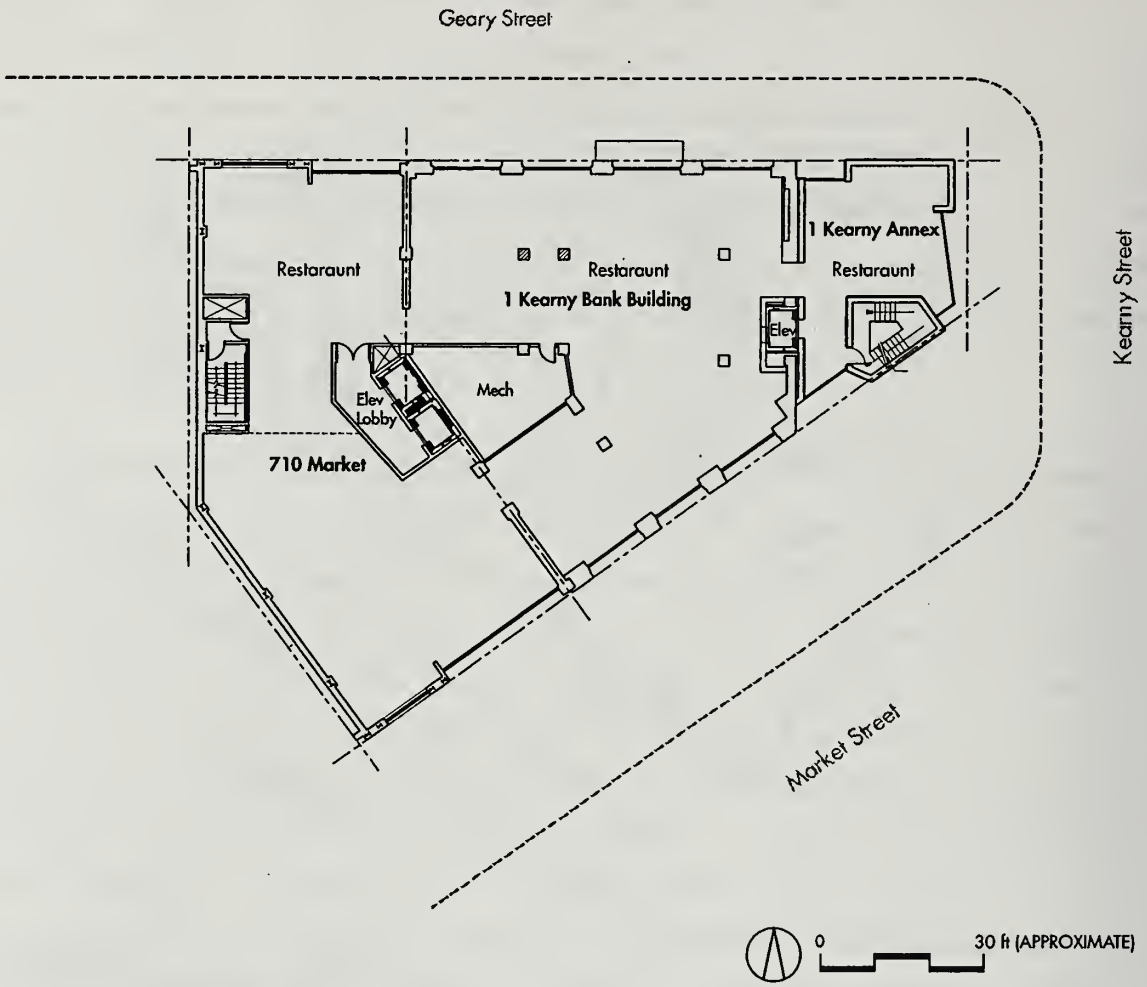
Ground Floor Plan Figure 3



Source: Charles F. Bloszies, Architecture | Structures

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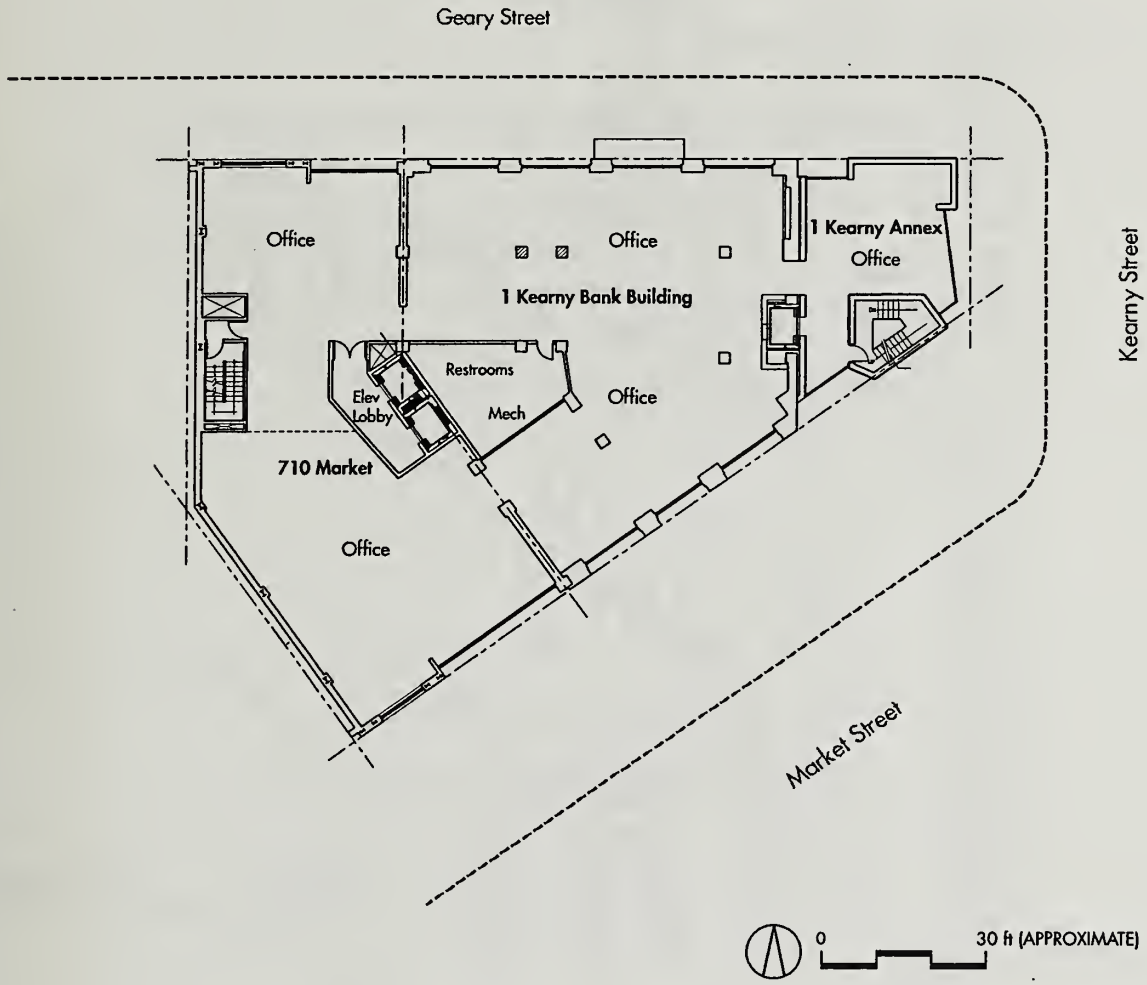
Second Floor Plan Figure 4



Source: Charles F. Bloszies, Architecture | Structures

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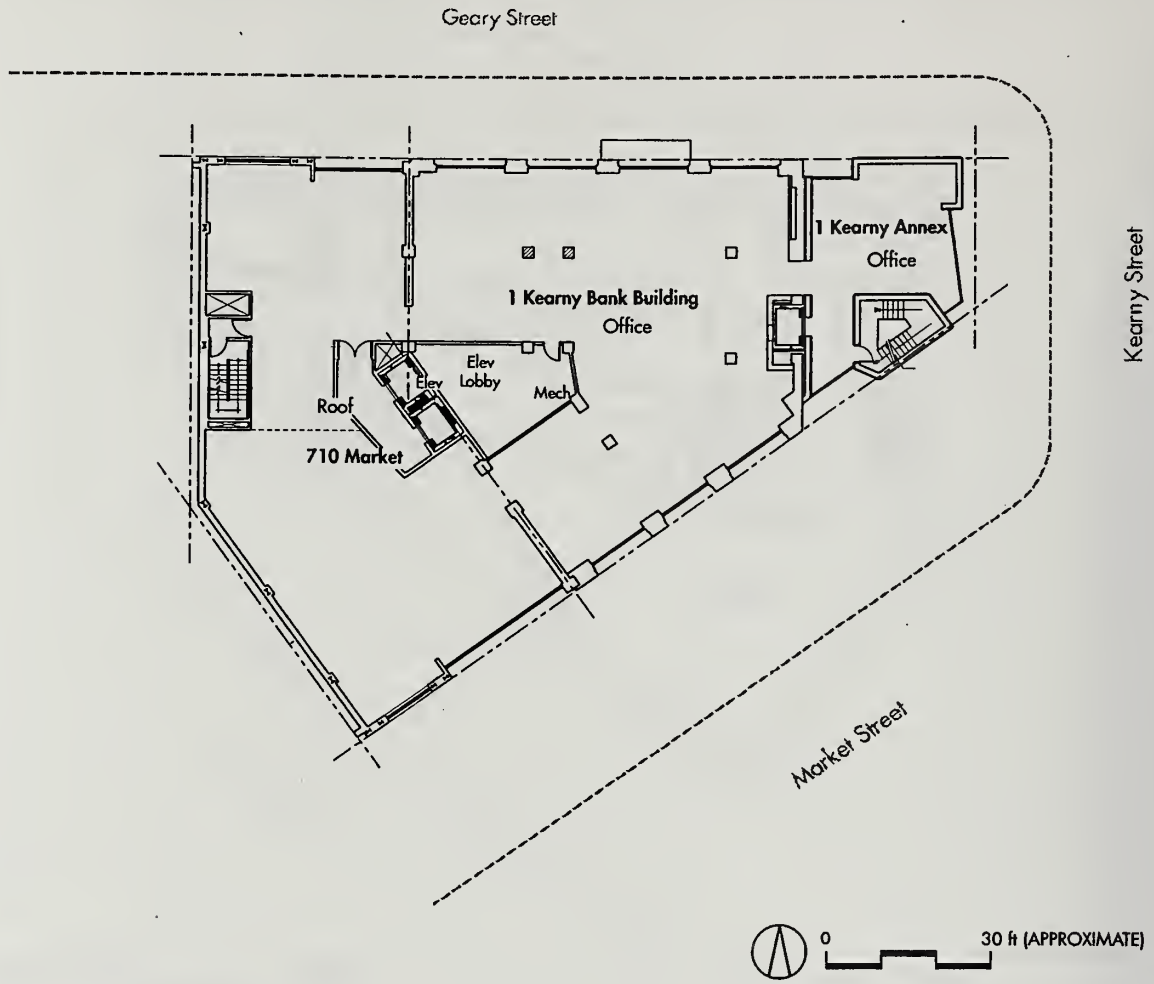
Sample Upper Floor Plan (Levels 3 to 10) Figure 5



Source: Charles F. Bloszies, Architecture | Structures

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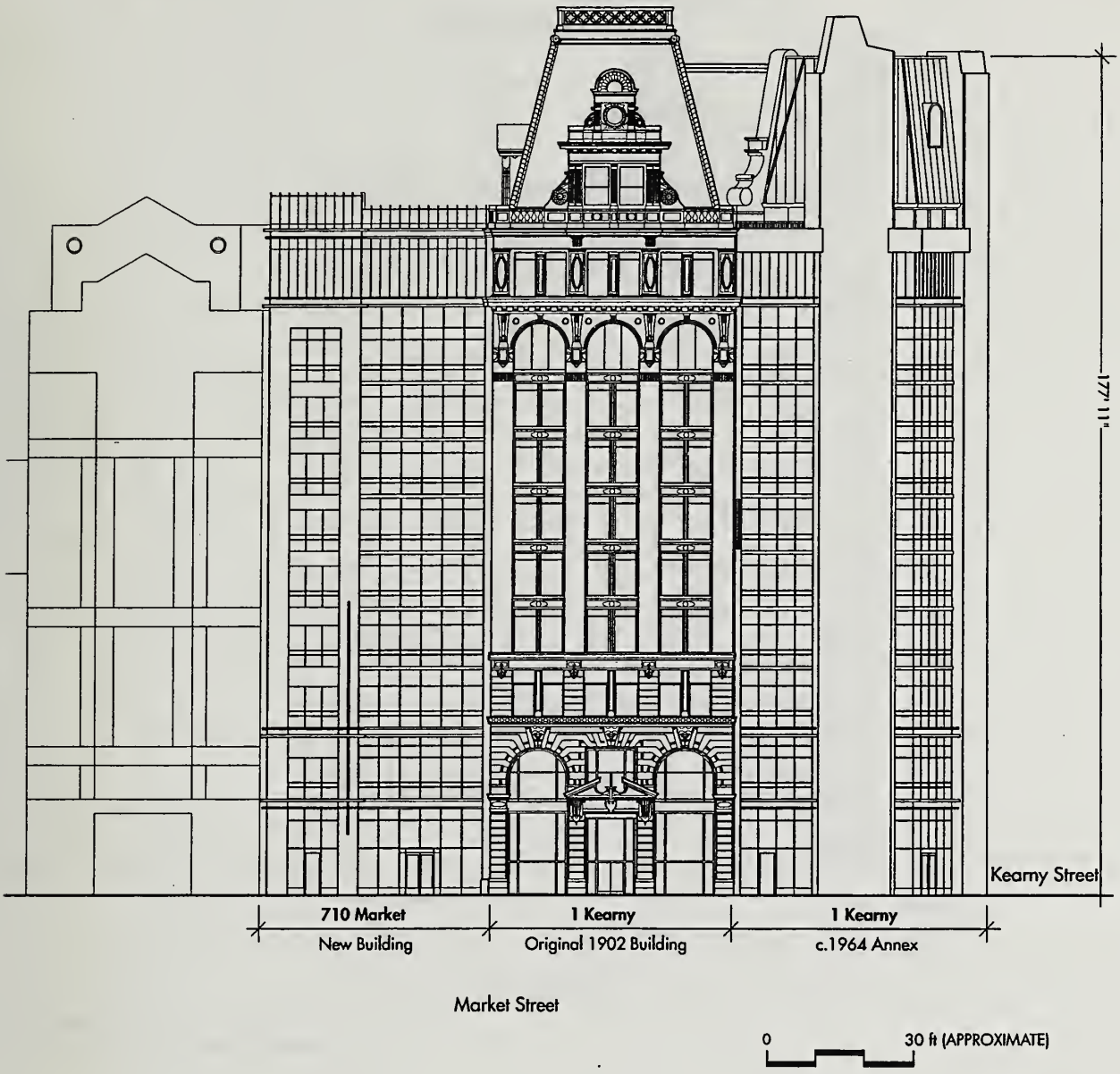
Eleventh Floor Plan Figure 6



Source: Charles F. Bloszies, Architecture | Structures

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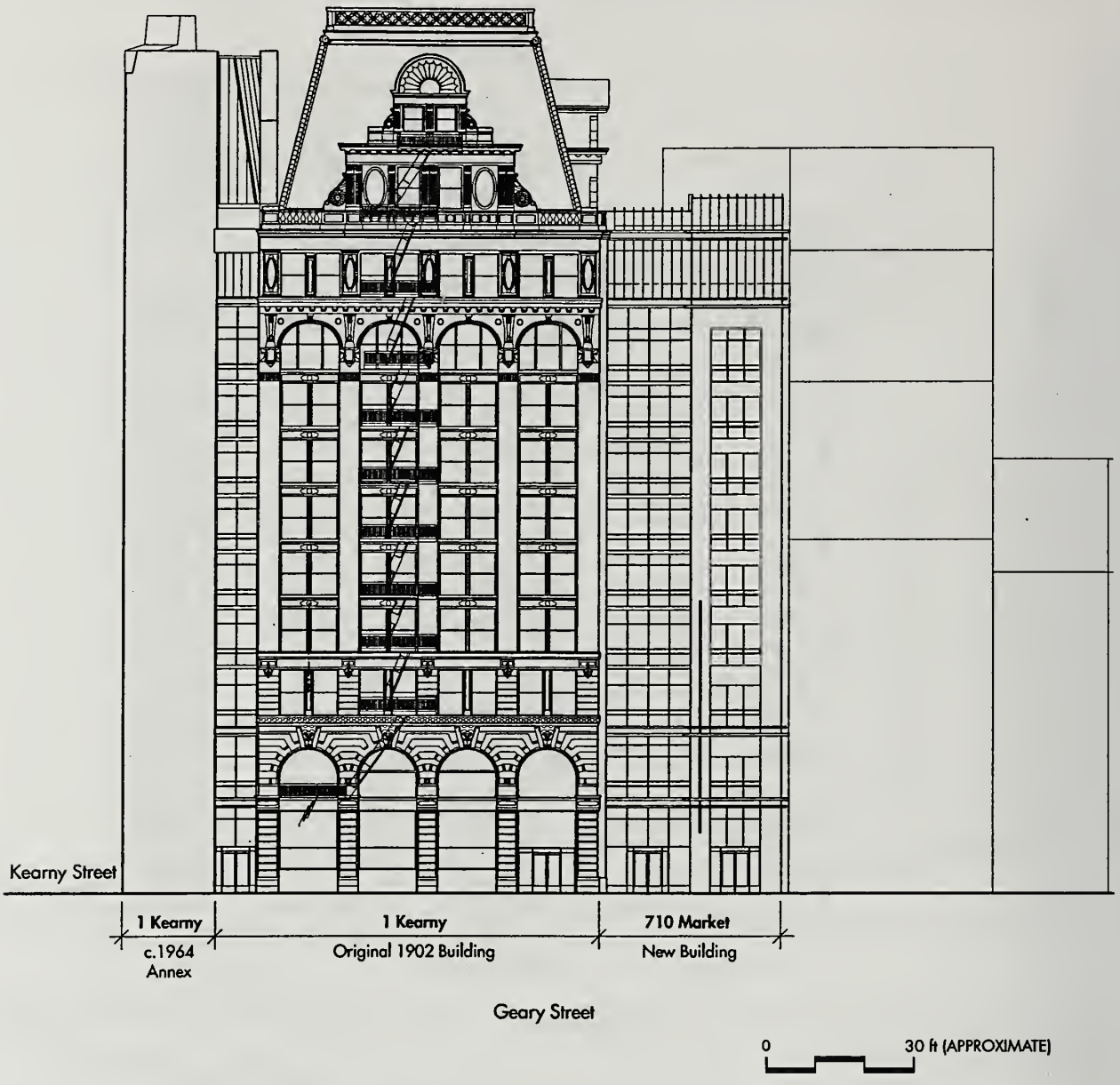
Market Street Elevation Figure 7



Source: Charles F. Bloszies, Architecture | Structures

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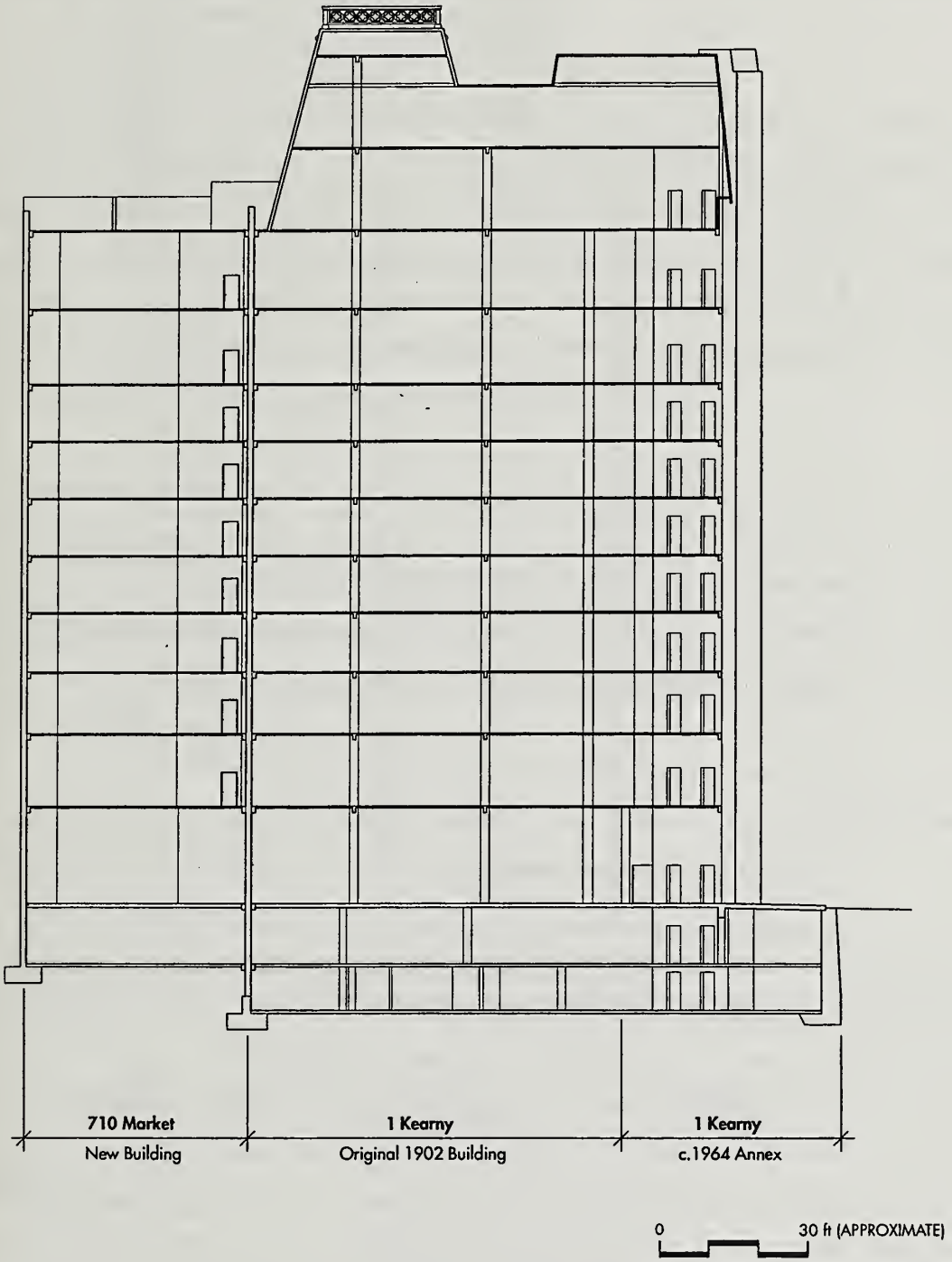
Geary Street Elevation Figure 8



Source: Charles F. Bloszies, Architecture | Structures

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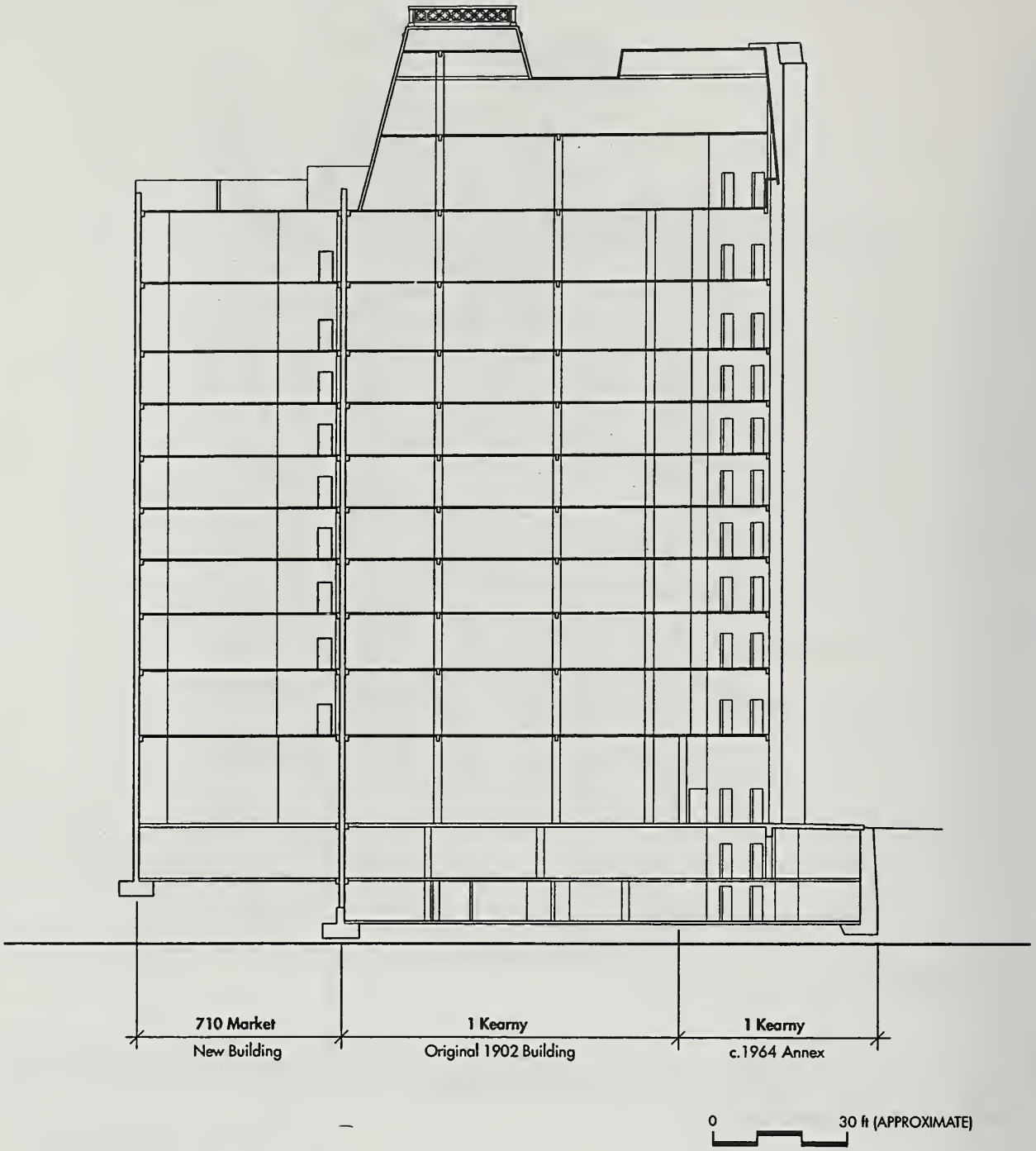
Building Section Figure 9



Source: Charles F. Bloszies, Architecture | Structures

10·3·05

Building Section Figure 10

project would be approximately 129,855 sq. ft., of which approximately 32,845 sq.ft. would be net new space.

The second floor of all three buildings would contain a new restaurant (with a new mezzanine in the Annex), and the third to the tenth floors of the new addition and the existing building would contain office space. The third to the eleventh floor of the Mutual Savings Bank Building and Annex at One Kearny would also contain office space. An existing residential unit on the 12th floor of One Kearny would be retained. An elevator lobby for the residential, office, and restaurant floors would have access on Market and Geary Streets. The retail space would have two entrances/exits on Market Street and two entrances/exits on the corner of Geary and Kearny Streets.

Although originally designed by the prominent San Francisco firm of Bliss & Faville, the Magee Building (710 Market) today retains virtually none of its original design. Heavily altered in 1946 when it was converted into a bank, it has undergone dozens of additional alterations through the 1990s. The new addition would provide seismic support for the exposed and unbraced southwest side of the Mutual Savings Bank Building, reducing the amount of structural work that would occur within the historic building envelope.

The project would provide no off-street vehicle parking or freight loading spaces. Freight loading would continue to be accommodated on-street at existing white zones on Geary Street.

The brown face-brick located in the recessed portion of the 1964 Annex that connects to the Mutual Savings Bank Building would be replaced with modern glazing similar to the glazing proposed for the new 10-story addition at 710 Market Street and consistent with *Planning Code* Article 11 standards for alterations to Category I Buildings. The non-recessed portions of the brown, brick-faced concrete towers of the Annex would remain unaltered. The façades of the Mutual Savings Bank Building and the Annex are largely intact and would be rehabilitated according to Secretary of the Interior's Standards for Restoration. The design of the new building at 710 Market Street would be contemporary and differentiated from the Mutual Savings Bank Building. Its design would conform to the Kearny-Market-Mason-Sutter Conservation District design guidelines.

The project sponsor is One Kearny Street, L.L.C., and the project architect is Charles F. Bloszies. The project construction would take approximately 12 months and would be completed in early 2007.

The proposed project would require a Determination of Compliance under Section 309 of the *Planning Code*, a Permit to Alter, and a variance under Section 305 from the open space requirement. Section 309 Compliance involves a public hearing process before the Planning Commission. The zoning and height reclassification would also require an amendment to the zoning maps and height maps of the *Planning Code*, and to the heights maps in the Downtown Plan section of the City's *General Plan*, which would require City Planning Commission and Board of Supervisors approval.

B. PROJECT SETTING

The project site is in the block bounded by Geary Street to the north, Kearny Street to the east, Market Street to the south, and Grant Street to the west. Land uses in the project area are primarily commercial/office with ground-floor retail/restaurant uses and office uses above. There are several buildings in the project area with residential/hotel uses above the ground floor. On the project block, in addition to the One Kearny Street Bank and Annex and 710 Market Street buildings on the project site, there are four other buildings ranging in height from two to ten stories (716-720 Market, 724 Market, Two Grant, and 30 Grant).

The block face to the north of the project site across Geary Street contains eight buildings ranging in height from two stories to eight stories. Most have ground-floor retail plus office uses above. There is a six-story residential building at 66 Geary Street, with residential uses beginning on the second floor. This block is split by Maiden Lane running east-west and containing high-end retail uses.

Directly east of the project site is the public monument Lotta's Fountain located on the northeast corner of the intersection of Market, Geary, and Kearny Streets. The block directly east of the project site across Kearny Street contains the 16-story office building at 690 Market Street for which renovation and conversion to a hotel and residential uses has commenced. On Kearny Street is a six-story office building with vacant ground-floor retail at 66 Kearny Street and the 22-story office building at 88 Kearny Street (at the corner of Kearny and Post Streets) with bank/retail services on the ground floor. The 38-story McKesson office building includes retail space, a public plaza, and

entry to the Montgomery BART station at One Post Street. A nine-story landmark building at 57-65 Post Street is occupied by office and retail uses. A five-story office building at 660 Market Street contains a variety of ground-floor retail uses at 648 through 660 Market Street.

The block across Market Street to the southeast of the project site contains the Sheraton Palace Hotel (50 New Montgomery Street) at the eastern corner, the ten-story Monadnock Building (685 Market) mid-block, and the 12-story Hearst Building (699 Market) at the western corner at Third Street. Between the Sheraton Palace Hotel and the Monadnock Building is the Annie Street public plaza.

Directly south of the project block across Market Street is the 21-story Central Tower (703 Market) at the southwest corner. In the mid-block, facing Market Street, are a set of five buildings ranging in height from two stories to seven stories, most of which have retail uses on the ground-floor retail and office uses above (713-731 Market).

To the west, the corner of Market and Grant Streets is anchored with the 10-story Phelan Building (750 Market Street) housing a computer store on the ground and basement floors and office uses above. To the west of the project block are a set of eight buildings ranging from two to six stories in height. They all contain ground-floor, and in some cases second-floor, retail uses and office uses above (23 Grant Street).

Most of the project block and the blocks within two blocks directly north, south and west of the project site are within the C-3-R (Downtown Retail) Use District. The eastern parcel of the project block containing the Mutual Savings Bank Building and its Annex is located in the C-3-O (Downtown Office) Use District. The project block and site are located in an 80-130-F Height and Bulk District, as are the properties to the immediate west and north. Properties to the east, north and south, and across Kearny Street, are located in the C-3-O Use District. South across Market Street) are the 120-X , 400-I, and the 160-S Height and Bulk Districts. The project site lies at the southeast corner of the Kearny-Market-Mason-Sutter Conservation District, with blocks to the north and the west also lying within the District.

II. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH ZONING, PLANS, AND POLICIES

	N/A	Discussed
1. Discuss any variances, special authorizations, changes proposed to the City *Planning Code* or Zoning Map, if applicable.	☐	■
2. Discuss any conflicts with any other adopted environmental plans and goals of the City or Region, if applicable.	■	☐

San Francisco Planning Code

The San Francisco *Planning Code* incorporates the City's Zoning Maps, implements the *General Plan* and governs permitted uses, densities, and configuration of buildings within the City. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless (1) the proposed project conforms to the Code, (2) an allowable exception is granted pursuant to provisions of the Code, or (3) amendments to the Code are included as part of the project.

One of the two lots comprising the project site is within the C-3-R (Downtown Retail) Use District. The other lot at One Kearny lies in the C-3-O (Downtown Office) Use District. These use districts permit commercial and residential uses and permit a base floor area ratio (FAR) of 6:1 in the C-3-R and 9:1 in the C-3-O Use Districts. With the merger of the two lots, the project sponsor is requesting that the current C-3-R zoning at 710 Market Street be reclassified to C-3-O to be consistent with the zoning at the One Kearny lot.

In addition, the project sponsor has requested that the 80-130-F Height & Bulk District on both lots be changed to a 140-X Height & Bulk District to permit the proposed 10-story, 142-foot addition on the 710 Market Street lot. Permitted heights in the 80-130-F Height and Bulk District are 80 feet or less, with exceptions up to 130 feet when the height above 80 feet would not adversely affect the scale of the affected area or block sunlight access to public sidewalks and parks. The height reclassification would also require an amendment to the height maps in the Downtown Plan section of the City's *General Plan* and to the zoning maps and height maps in the *Planning Code.*

Required Approvals

The proposed project would require a Determination of Compliance under Section 309 of the *Planning Code*, a Permit to Alter, and a variance from the required open space. Section 309 Compliance involves a public hearing process before the Planning Commission. The zoning and height reclassification would also require an amendment by the Planning Commission and Board of Supervisors to the zoning and height maps of the *Planning Code* and to the heights maps in the Downtown Plan section of the City's *General Plan*. The variance will require a hearing before the Zoning Administrator.

Plans and Policies

The *San Francisco General Plan*, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The compatibility of the project with *General Plan* policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project but any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

Environmental plans and policies are those, like the Bay Area Air Quality Plan, which directly address physical environmental issues and/or contain targets or standards and which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City *Planning Code* to establish eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; maximization of earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project that requires an Initial Study under the California Environmental Quality Act (CEQA), prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action that requires a finding of consistency with the *General*

Plan, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. The Priority Policies, which provide general policies and objectives to guide certain land use decisions, contain some policies that relate to physical environmental issues. The current project would not obviously or substantially conflict with any such policy. The case report for the Section 309 approval and/or subsequent motion for the Planning Commission will contain the analysis determining whether the proposed project would be in compliance with the eight Priority Policies.

B. ENVIRONMENTAL EFFECTS (Initial Study Checklist)

All items on the Initial Study Checklist have been checked "No," indicating that Planning Department staff has determined that the proposed project could not have a significant adverse environmental effect. Several of those Checklist items have also been checked "Discussed," indicating that the Initial Study text includes discussion about those particular issues. For all of the items checked "No" without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Department, such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

1. **Land Use** – Could the project:	Yes	No	Discussed
a. Disrupt or divide the physical arrangement of an established community?	☐	■	■
b. Have any substantial impact upon the existing character of the vicinity?	☐	■	■

The project site is currently occupied by three buildings on two parcels: One Kearny (the Mutual Savings Bank Building and the Annex), and 710 Market (the Magee Building). Land uses on the project site's block and the immediate vicinity (within a block of the project site) are mainly commercial. The majority of the buildings have ground-floor retail uses with office uses on the upper floors. Some buildings include residential uses. The project site is in a transition area between the predominantly high-rise office uses that are above ground-floor retail uses characteristic of the

Financial District to the east and the predominantly mid-rise retail and hotel uses surrounding Union Square two blocks to the west.

The block face to the north of the project site contains eight buildings with ground-floor retail plus office uses above ranging in height from two stories to eight stories. The block directly east of the project block across Kearny Street is comprised of buildings with ground-floor retail with office uses above, ranging in height from eight to 38 stories, and open public spaces (Lotta's Fountain and the Montgomery BART entrance). To the south of the project block, across Market Street, are the Sheraton Palace Hotel, the Four Seasons Hotel, and several office buildings. To the west of the project block across Grant Street are a set of eight buildings ranging from two to six stories in height and involved in various retail activities on the first and second floors.

The proposed project would introduce mostly new office uses in the proposed structure at 710 Kearny, some ground-floor retail and banking uses, and a second-floor restaurant. The underlying C-3-O and C-3-R (Downtown Office and Retail, respectively) zoning of the area permits office, residential, restaurant, and retail uses such as those of the proposed project. The proposed project would not introduce a new use to the area, as the site vicinity already includes office, retail, restaurant, and residential uses. Although the project would intensify use of the site, the proposed office, retail, restaurant, and residential uses would not be incompatible with existing uses in the vicinity.

The proposed project would not disrupt or divide the physical arrangement of an established community. It would be incorporated within the established street plan and would create no impediment to the passage of persons or vehicles.

The project would have no significant adverse impact on the land uses and character of the project site or the vicinity. It would not introduce a new or incompatible land use to the area. Rather, it would add to existing office, retail, and residential uses which already exist in the area and on the project site, and to the restaurant uses which already exist in the project area. The nature and intensity of proposed land uses with the project are consistent with the character of development that exists in the area. While the proposed project would be a change to existing land use on the project site, the proposed project's impacts relating to land use are considered less than significant under CEQA, for the reasons discussed above.

2. Visual Quality – Could the project:	Yes	No	Discussed
a. Have a substantial, demonstrable negative aesthetic effect?	☐	■	■
b. Substantially degrade or obstruct any scenic view or vista now observed from public areas?	☐	■	■
c. Generate obtrusive light or glare substantially impacting other properties?	☐	■	■

Aesthetic Effect

The built environment, especially the larger nearby buildings, is the predominant influence on the visual character of the area due to the nearly flat topography and extensive urbanization of the site vicinity. The immediate vicinity of the project site is characterized by a variety of building heights and massing. The project site's block contains, in addition to the three-story office building on the project site (Magee Building at 710 Market Street), six other buildings ranging in height from two to nine stories. Except for the 3-story Magee Building, which the project would demolish to build the proposed 10-story addition, the heights of the buildings on the project block increase from west to east.

The block face to the north of the project site contains eight buildings ranging in height from two stories to eight stories with ground-floor retail plus office uses above. One building is a six-story residential building. The northern face of the block fronting Post Street has high-end old-time retail establishments such as Gumps. Directly east of the project site is Lotta's Fountain located on the northeast corner of the intersection of Market, Geary, and Kearny Streets. The block directly east of the project block across Kearny Street has a number of tall buildings, the tallest of which is the 38-story McKesson building that houses their corporate headquarters and includes retail space, a public plaza, and entry to the Montgomery BART station at One Post Street to the east. 690 Market Street, facing Lotta's Fountain, is currently 16 stories and is proposed to include an additional 8-story tower. To the south of the project block, across Market Street, moving from east to west, are a number of notable buildings: the eight-story Sheraton Palace Hotel, the 10-story Monadnock Building, the 12-story Hearst Building, the Annie Street public plaza, the Central Tower, the 40-story Four Seasons Hotel, the 10-story Phelan Building. To the west of the project block across Grant Street are a set of

eight buildings ranging from two to six stories in height and involved in various retail activities on the first and second floors.

In the vicinity of the project site, high-rise buildings predominate in the Financial District to the east. Mid-rise buildings predominate in the Union Square neighborhood to the west. A mix of high- to mid-rise buildings is visible to the north and to the south across Market Street. Therefore, the scale of the proposed project would be within the range of surrounding existing development.

A number of buildings in the project vicinity, such as the Mechanics Institute[1] (at 57-65 Post Street) and the building at 660 Market Street, are designated Category I historic buildings. Lotta's Fountain, at the intersection of Market, Geary, and Kearny Streets to the immediate east of the project site, is a City landmark (Landmark # 73), and the Chronicle Building at 690 Market Street is a proposed City landmark. The Kearny-Market-Mason-Sutter Conservation District surrounds the site with its boundary being just east of the site. The Kearny block face across from the project site contains Category I historic buildings, including the buildings at 25 Kearny Street and 49 Kearny Street.

Buildings in the project vicinity are generally rectilinear in form and massing. Building styles vary from early twentieth century to contemporary, but buildings of recent design dominate the visual character of the project vicinity due to their greater numbers, height, and massing.

Street-level views of the project site are available from those portions of Market Street, Geary Street, and Kearny Streets immediately adjacent to the site or a short distance from the site due to the view blockage from intervening buildings with the densely urbanized area of downtown San Francisco. Similarly, street-level views of the site from other nearby streets such as Third Street are also limited by existing buildings.

The visual character of the proposed addition at 710 Market Street would be distinctly urban, consisting of a ten-story, 142-foot-high building of contemporary design. Exterior materials would consist of concrete materials, terra cotta metal mouldings, a curtain wall on the west façade, and terra cotta brick that is mounted in a steel frame, held away from building. The new construction would use similar materials to and be consistent with spirit of existing building. The brown-faced brick

[1] The Mechanics Institute is also a designated City landmark (Landmark # 134).

located in the recessed portion of the 1964 Annex Building that connects to the Mutual Savings Bank Building with be replaced with glazing similar to the new ten-story addition and consistent with Article 11 standards for alterations to Category I Buildings. The façades of the Mutual Savings Bank Building and the Annex are largely intact and would be repaired where necessary according to Secretary of the Interior's Standards for Restoration. Its design would also conform to the Kearny-Market-Mason-Sutter Conservation District design guidelines, by for example, aligning the new structure's cornice and base with the existing Mutual Savings Bank Building to create a continuous street wall.

The new tower at 710 Market Street would not be aesthetically inconsistent with the existing urban form of mixed low-, mid- and high-rise buildings of 20th century to contemporary building styles. The project would be visible from nearby portions of Market Street, Kearny Street, Geary Street and Third Street. From most other public vantage points on nearby streets, intervening buildings would screen the project from view.

Design and aesthetics are, by definition, subjective and open to interpretation by decision-makers and members of the public. A proposed project would therefore be considered to have a significant adverse effect on visual quality under CEQA only if it would cause a substantial and demonstrable negative change. The proposed project would not cause such a change. The project would modify the visual content of the project site, but it would not change the visual character of the project site. A three-story office building would be demolished and replaced with a 10-story office building with ground-floor retail that would be designed as a distinct but integral part of the adjacent existing Category I Mutual Savings Bank Building. The visual changes resulting from the proposed project would consist of adding an office building to an existing mixed-use downtown district, rather than adding a new or visually inconsistent use or building style. Because the area surrounding the site is already urbanized, the proposed project would not significantly change the existing visual character of the site vicinity, or be visually inconsistent. For these reasons, the proposed development would not cause a substantial and demonstrable negative change, or disrupt the existing visual character of the project vicinity.

Scenic Views from Public Areas

The nearest public open space is Lotta's Fountain immediately east across Kearny Street and the Annie Street public plaza across Market Street east of Third Street. Union Square is approximately two blocks west of the project site.

Public areas in the immediate vicinity of the project site consist of surrounding public streets and sidewalks, including Market Street, Kearny Street, and Geary Street. There are no formally designated scenic views, viewpoints, or trails near the project site.

None of the vistas on Third Street, Kearny Street, Geary Street and Market Street corridors would be substantially altered by the proposed project. Public views along other nearby street corridors would not be substantially changed by the project due to the presence of intervening buildings in this densely urbanized downtown area.

In conclusion, the proposed project would not substantially degrade or obstruct any scenic view or vista now observed from public areas.

Private Views

Views may be reduced, particularly from the east façade of the commercial building at 720 Market, and for occupants of mid to upper levels of nearby commercial buildings directly across from the 710 Market Street building on either Market or Geary Streets. There are no private residences on Market Street in the immediate vicinity of the project site. Residents at some units on the upper floors of the taller residential high-rises, particularly in the South of Market area, may be able to see the proposed project, but because of the difference in elevations, the view would be set against a backdrop of existing infill, and would not block any existing view corridors or skyline. The residential Graystone Hotel at 66 Geary Street lies across the street and to the west of the project site, and residents on the southeast corner of the building will have slightly diminished views to the southeast, particularly for residents of the upper four floors. However the Mutual Savings Bank presently blocks most of the view in this direction. These reduced private views would be an unavoidable consequence of the project and an undesirable change for those individuals whose views would be blocked from the proposed building. Impairment of private views created by the project would not exceed levels

commonly expected in urban areas, and are not considered a potentially significant environmental impact.

Light and Glare

The project site currently has three buildings and is lighted. The proposed project would add a new 10-story building with ground-floor retail uses to the site of an existing three-story building with ground-floor retail uses that would be demolished. The project's exterior lighting would be typical of, and similar in magnitude to, present office and ground-floor retail uses and residential buildings in the project vicinity. The project would comply with Planning Commission Resolution No. 9212, which prohibits the use of mirrored or reflective glass. For these reasons, the proposed project would not generate obtrusive light or glare that would substantially impact other properties.

The proposed project would not have a substantial, demonstrable negative aesthetic effect; would not substantially degrade or obstruct any scenic vista observed from public areas; and would not generate obtrusive light and glare. Therefore, the project would have a less-than-significant impact on visual resources.

3. **Population** – Could the project:	Yes	No	Discussed
a. Induce substantial growth or concentration of population?	☐	■	■
b. Displace a large number of people (involving either housing or employment)?	☐	■	■
c. Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	☐	■	■

San Francisco is the central city (and most urban place) in an attractive region and consistently ranks as one of the most expensive housing markets in the United States. The San Francisco Bay Area is known for its agreeable climate, open space, recreational opportunities, cultural amenities, a strong and diverse economy, and prominent educational institutions. As a regional employment center, San Francisco attracts people who want to live close to where they work. These factors continue to support a strong demand for housing in San Francisco. Providing new housing to meet this strong demand is particularly difficult because the amount of land available is limited, and land and development costs are relatively high.

San Francisco housing production has varied substantially over the past 20 years, with recent production showing a substantial increase.[2] During the period of 1990-2000, the number of new housing units completed citywide ranged from a low of about 380 units (1993) to a high of about 2,065 units (1990) per year. From 1982 to 1998, housing production was relatively low, averaging about 1,100 units per year. From 1999 to 2003, housing production increased to an average of almost 1,600 units per year. Average annual production in the final two years of that period (2002 and 2003) amounted to 2,450 units per year, the highest housing production over the last 20 years. The 20-year average has been almost 1,400 units per year. In March 2001, the Association of Bay Area Governments (ABAG) projected regional needs in the Regional Housing Needs Determination 1999-2006 allocation. The need of the City for 2006 is an additional 20,372 dwelling units, or an average of 2,716 net new dwelling units per year. The proposed project would add two units to the City's housing stock.

The structure at 710 Market Street, with approximately 10,525 sq. ft. of office space and 4,060 sq. ft. of retail, has not had any long-term tenants in several years. For the purpose of the population discussion below (as well as traffic counts), it is assumed to be vacant, so net changes in square footage are considered to be higher than for the project description and land use section. The proposed project's additional 28,555 sq.ft. of office space would create the capacity to add up to 104 net new office employees at 275 sq.ft. per employee, the 9,280 sq. ft. of new restaurant space could add up to 27 employees and the additional 4,170 sq. ft. of retail space could add up to 12 net new retail employees.[4] The addition of 180 sq. ft. of residential space to the existing dwelling unit is not anticipated to increase population.[5] Thus, the maximum net increase in on-site day-time population

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[2] Source: SF Planning Department, Citywide Policy and Analysis, *2001-2003 Housing Inventory Summary Report*, Fall 2004.

[4] Small retail (<50,000 sq.ft.) and sit-down restaurant employee density factor is assumed to be 350 sq.ft. per employee. Based on San Francisco Planning Department's Transportation Impact Analysis Guidelines for Environmental Review, Table C-1, op cit.

[5] The average household density is per household – 1.71 persons per household, from the US Census 2000 SF1, Table P17, Average Household Size for Census Tract 11. This information is available for review by appointment in Project File No. 2004.0165E at the Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

would be about 146 people. Currently, the existing 49,705 sq.ft. of office space, 3,970 sq.ft. of retail/bank space, and one residential unit could accommodate up to 181 office employees, 11 retail employees, and two residents, for a total population of 194. The net increase in daily population on the project site of approximately 146 people may be noticeable to nearby workers, residents, and visitors. It would not, however, substantially increase the area-wide population, and the resulting density would not exceed levels that are common and accepted in high-density urban areas such as San Francisco. Therefore, the project's daytime population increase would not be a significant effect.

There would be a temporary employment displacement of the existing office uses from the proposed project during construction. The temporary displacement of approximately 181 office jobs and 11 retail jobs during construction would not be considered significant in the large and dynamic economy of the Bay Area. The ground floor bank would remain. It is unknown at this time whether other tenants would return.

Based on the above analysis, no significant physical environmental effects on housing demand or population would occur due to the project.

4. **Transportation/Circulation** – Could the project:	Yes	No	Discussed
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	☐	■	■
b. Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	☐	■	■
c. Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	☐	■	■
d. Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	☐	■	■

Traffic

The triangular project site at the eastern end of the block fronts onto Market, Kearny, and Geary Streets. Market Street runs in a northeast-southwest direction in the downtown. In the vicinity of the project site it has two lanes in each direction, and west of Fifth Street, one of the travel lanes in each direction is reserved for transit-vehicles only. Geary Street is an east-west direction, major thoroughfare connecting downtown with the Richmond district. In the vicinity of the project site Geary Street has two travel lanes, plus on-street metered truck parking along both curbs. Kearny Street to the west of the site is a north-south direction roadway between The Embarcadero and Market Street, and is not continuous throughout its length.

Based on the trip rates in the Planning Department's Transportation Impact Analysis Guidelines for Environmental Review (October 2002), the proposed project would generate an estimated average daily 3,200 net new person-trips, including 376 daily net new person-trips during the p.m. peak hour. These 376 p.m. peak person-trips would be distributed among various modes of transportation including 109 person-trips by automobiles, 81 public transit trips, 186 walking trips and trips by other means that include bicycling and motorcycles.[8]

The proposed project would generate 61 net new vehicle-trips during the p.m. peak hour. These 61 automobiles added to the existing traffic in the project area during the p.m. peak-hour would not be considered a substantial traffic increase relative to the existing capacity of the local street system. The change in traffic in the project area as a result of the proposed project would be undetectable to most drivers. The proposed project along with other land use and development changes would add a small increment to the cumulative long-term traffic increase on the local roadway network in the neighborhood and in the region.

For the reasons discussed above, the proposed project's impacts on traffic would be less than significant.

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[8] LCW Consulting, *Transportation Trips and Parking Demand for One Kearny/710 Market Street*, November 2, 2005. This information is available for review by appointment in Project File No. 2004.0165E at the Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

Transit

The estimated 81 peak-hour project trips utilizing public transit would be distributed among the public transit lines providing service to the vicinity of the project site. The project site is well served by public transit, with both local and regional service provided nearby. The project is located within walking distance of Montgomery Street and Powell Street Bay Area Rapid Transit (BART) stations and those of the San Francisco Municipal Railway (Muni) under Market Street, the Caltrain station, the Transbay Terminal, and the Ferry Building, all major connection locations. Local service is provided by the Muni lines, which can also be used to access regional transit operators such as Golden Gate Transit, SamTrans, and Caltrain.

Muni provides transit service within the City and County of San Francisco, including bus (both diesel and electric trolley), light rail (Muni Metro), cable car, and electric streetcar lines. Muni operates numerous bus and Muni Metro lines in the vicinity of the Project Site. The project site is close to three Muni bus stops. On Market Street in front of the project site is a stop for the 5-Fulton, 21-Hayes, and 31-Balboa bus lines. One block east on Market Street and across Geary Street from the project site are two bus stops for the 38-Geary (local and express) bus line. Across Kearny Street is the Kearny/Geary bus stop serving seven Muni bus lines: the 9X-San Bruno Express, 15-Third, 30-Stockton, 45-Union-Stockton, 9AX/9BX-San Bruno Expresses, and 81-X-Caltrain Express. In addition, it serves the SamTrans FX Express bus during the morning commute period. The closest Muni Metro stop is the Montgomery Station, less than one block (or about 400 feet walking distance) east of the project site, where Muni light rail service is provided by the F-Market, J-Church, K-Ingleside, L-Taraval, M-Ocean Beach, and N-Judah. Transit impacts resulting from the proposed project would be less than significant.

Parking

Existing off-street and on-street parking conditions were examined in a study area generally bounded by Sutter Street to the north, Sansome Street to the east, Howard Street to the south, and Stockton Street to the west, during the weekday midday period (about 1:00 to 3:00 p.m.) and the evening period (about 6:00 to 8:00 p.m.).[9] There are about 2,370 off-street parking spaces in five public

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[9] City and County of San Francisco, *690 Market Street Final Negative Declaration,* February 11, 2004. This information is available for review by appointment in Project File No. 2004.0165E at the Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

parking facilities. Off-street parking is about 69 percent occupied during the weekday midday period, and about 36 percent occupied during the weekday evening period. While none of the parking facilities are open 24 hours a day, the garages allow overnight parking. Additionally, immediately adjacent to the parking study area, there are about 2,850 off-street parking spaces in two facilities, plus 450 more off-street parking spaces anticipated to be made available to the public by 2004 with completion of the Jessie Street Garage currently under construction.

Existing on-street parking in the project vicinity of the site consists of metered spaces with 30 minute limits for commercial vehicle loading, and along many of the major arterials (such as Kearny, Geary and Sutter Streets) tow away regulations are in effect during peak periods, generally between 7:00 to 9:00 a.m. and 5:00 to 6:00 p.m.

Off-street parking is not required for any land use other than residential in the C-3 District; Table 151 of the *Planning Code* requires one parking space for every four residential units. The project, with no new residential units, would thus not be required to provide off-street parking spaces. No parking would be required for the additional retail, restaurant, or office space pursuant to Section 161(c) of the *Planning Code.*

The project would generate a net new parking demand (which can differ from the *Planning Code* parking requirement) of about 77 spaces (38 long-term and 39 short-term parking spaces). Because no off-street parking is being proposed, the project would result in a shortfall of 77 spaces. However, there should be sufficient parking spaces in the area to accommodate the demand generated by the proposed project. Motorists may have to drive further to find a parking space during the mid-day period, the peak period for parking demand generated by the retail uses.

It should be noted that parking shortfalls are not considered significant environmental impacts in the urban context of San Francisco. Lack of availability of nearby parking is an inconvenience to drivers, but not a significant physical impact on the environment. In support of the City's "Transit First" policy that emphasizes a shift from personal automobiles to public transit use, priority is given to transit improvements before developing transportation treatments that encourage the continued use of the automobile. Faced with parking shortages or inconvenience, drivers generally seek and find better alternative parking facilities or shift modes of travel (e.g., public transit, taxis, or bicycles). In view of the above discussion, the project would not cause a significant environmental impact.

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should however, address the secondary physical impacts that could be triggered by a social impact (CEQA Guidelines 15131(a)). The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g. transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular would be in keeping with the City's "Transit First" policy. The City's "Transit First" policy, established in the City's Charter Section 16.102, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

In any event, given the relatively small unmet demand (i.e., up to 77 spaces), existing parking supply in the downtown area, and many transit options, the increased parking demand would not substantially alter the existing character of the area wide parking situation, and parking impacts resulting from the proposed project would not be considered significant.

Pedestrian and Bicycles

Sidewalks and crosswalks adjacent to the project site currently have relatively high pedestrian activity during the weekday p.m. peak hour.[10] Pedestrian activity would increase as a result of the

[10] Ibid.

project, but not to a degree that could not be accommodated on local sidewalks or that would result in safety concerns.

The project site is within convenient bicycling distance of downtown, including the financial district and major transit hubs. Thus, a portion of the person-trips generated by the project would be expected to be bicycle trips. Five signed (Class III) bicycle routes are in the vicinity of the project site, with no designated bicycle lanes. Bicycle Route #11 runs northbound on Sansome Street and southbound on Battery Street; Route #16 runs westbound on Sutter Street and eastbound on Post Street; Route #17 runs on Stockton Street between Post Street and Broadway; Route #30 runs westbound on Howard Street between The Embarcadero and Eleventh Street; and Route #50 runs in both directions on Market Street. During field survey, a substantial number of bicyclists, the majority being messengers and commuters, were observed to be riding in the project vicinity.[11] The project would result in an increase in the number of bicycles in the area; the increase would not be great enough to affect bicycle travel in the area.

In summary, the additional pedestrian and bicycle traffic created by this project would not result in significant environmental impacts.

Loading

The project would not provide freight and passenger loading/unloading facilities. However, there are passenger and commercial loading/unloading zones in the vicinity of the project site. The nearest spaces are on Geary Street and are used currently. Some levels of loading/unloading activities are anticipated to occur, as they do now, including commercial deliveries and pick-ups from the existing office and retail uses, the occasional tenants moving in and out, taxi drop-off and pick-up, residential drop-off and pick-up, and airport shuttle services. These activities could occur legally on Geary Street in back of the project site, or on Kearny Street across from the Project site. Such loading and unloading activities are common and accepted in urban areas, and the proposed project would not have significant impact from loading.

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[11] Ibid.

Construction Impacts

Construction of the proposed project, expected to last approximately 12 months, could temporarily affect traffic and parking conditions in the vicinity of the proposed project. All of the construction staging would occur on-site, limiting the need for curb-lane closures along the project frontages. Lane and sidewalk closures are subject to review and approval by the Department of Public Works (DPW) and a revocable encroachment permit would be required if materials storage and/or project staging is to occur within the public right-of way. Relocation of traffic and lane closures are not anticipated to be required. These effects, although a temporary inconvenience to those who live, visit, or work in the area, would not substantially change the capacity of the existing street system nor alter the existing parking conditions. No parking would be provided to construction workers; they would be expected to use public transit. For these reasons, the proposed project would not have a significant impact from construction-related traffic. However, the project sponsor has agreed to implement Improvement Measure 1 (page 62 of this report), to minimize disruption of traffic flow.

Based on the information presented above, the proposed project would not result in significant environmental impacts due to transportation.

5. **Noise** – Could the project:	Yes	No	Discussed
a. Increase substantially the ambient noise levels for adjoining areas?	☐	■	■
b. Violate Title 24 Noise Insulation Standards, if applicable?	☐	■	■
c. Be substantially impacted by existing noise levels?	☐	■	■

Effects on Ambient Noise Levels

Traffic is the noise source that makes the greatest contribution to ambient noise levels throughout most of San Francisco. Traffic volumes in an area would have to approximately double before the attendant increase in ambient noise levels would be noticeable to most people. The project would add up to 24 p.m. peak vehicle trips per day to adjacent streets. The project's contribution to traffic volumes would be a small fraction of the existing traffic in the project vicinity. Therefore, the project would not cause traffic volumes to double at any study location, and it would not have a noticeable effect on ambient noise levels in the project vicinity.

The proposed project may include mechanical equipment, such as forced air mechanical ventilation, which could produce operational noise. These operations would be subject to the San Francisco Noise Ordinance, Article 29, Section 2909, which limits noise from building operations. Substantial increases in the ambient noise level due to building equipment noise would not be anticipated. At the project location, operational noise would not be expected to be noticeable, given background noise levels along Market, Geary, and Kearny Streets.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA[12] at a distance of 100 feet from the source. Impact tools, such as jackhammers and impact wrenches, must have both intake and exhaust muffled to the satisfaction of the Director of Public Works. Section 2908 of the Ordinance prohibits construction work between 8:00 PM and 7:00 AM, if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works. The project demolition and construction operations would comply with the Noise Ordinance requirements, and construction is not expected to occur after 8:00 PM.

Foundation construction would not involve pile driving, and no pile-driving noise impacts would be generated by the proposed project.

The proposed development would consist primarily of office uses, along with ground-floor retail uses, second-floor (and mezzanine) restaurant use, and expanding the existing residential unit. Title 24 of the California Code of Regulations establishes uniform noise insulation standards for residential projects. For areas with background noise levels between 60 and 70 decibels, the San Francisco *General Plan* states that "new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design."[13] For areas with background noise levels greater than 70 decibels, "new construction or development should generally be discouraged. If new construction or

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[12] dBA is the symbol for decibels using the A-weighted scale. A decibel is a unit of measurement for sound loudness (amplitude). The A-weighted scale is a logarithmic scale that approximates the sensitivity of the human ear.

[13] San Francisco *General Plan, Environmental Protection Element*, Land Use Compatibility Chart for Community Noise.

development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design." There are no special noise insulation requirements for background noise levels below 60 decibels. The Department of Building Inspection (DBI) would review the final building plans to ensure that the building wall and floor/ceiling assemblies meet state standards regarding sound transmission. Because the proposed development would comply with Title 24 noise insulation requirements, the existing noise environment would not significantly affect occupant use.

In summary, project-related noise, including traffic, construction, operational, and interior noise, would not result in significant environmental impacts. However, it should be noted that Improvement Measure 1 (page 62 of this report), proposed to minimize disruption of traffic flow, would also have the secondary effect of reducing the noise impacts.

6. **Air Quality/Climate** – Could the project:	Yes	No	Discussed
a. Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	☐	■	■
b. Expose sensitive receptors to substantial pollutant concentrations?	☐	■	☐
c. Permeate its vicinity with objectionable odors?	☐	■	☐
d. Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	☐	■	■

Effects on Ambient Air Quality

Construction Emissions

Demolition, foundation construction, and other ground-disturbing construction activity would temporarily affect localized air quality for about one month during demolition and about five months during construction of the foundation, retaining walls and building frame, causing temporary and intermittent increases in particulate dust and other pollutants. Excavation and movement of heavy equipment could create fugitive dust and emit nitrogen oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO_2), reactive organic gases or hydrocarbons (ROG or HC), and particulate matter with a diameter of less than 10 microns (PM_{10}) as a result of diesel fuel combustion. Fugitive dust is made up of particulate matter including PM_{10} and $PM_{2.5}$. Soil movement for foundation excavation

and site grading would create the potential for wind-blown dust to add to the particulate matter in the local atmosphere while open soil is exposed.

While construction emissions would occur in short-term, temporary phases, they could cause adverse effects on local air quality. The Bay Area Air Quality Management District (BAAQMD), in its *CEQA Guidelines*, has developed an analytical approach that obviates the need to quantitatively estimate these emissions. The BAAQMD has also identified a set of feasible PM_{10} and $PM_{2.5}$ control measures for construction activities. Soil movement for foundation excavation and site grading would create the potential for wind-blown dust to add to the particulate matter in the local atmosphere while open soil is exposed. In order to reduce the quantity of dust generated during site preparation and construction, the project sponsor has agreed to implement Mitigation Measure 1 listing the BAAQMD PM_{10} control measures. (See Mitigation Measure 1, page 58.) The project would include this measure to reduce the effects of construction activities to a less-than-significant level. With implementation of Mitigation Measure 1, the project would not have significant construction-related air quality impacts.

Traffic Emissions

The BAAQMD has established screening methods to determine whether development projects could exceed significance thresholds for air quality impacts of project operations and therefore require a detailed air quality analysis. [14] The District generally does not recommend a detailed air quality analysis for residential projects with fewer than 320 single-family or 510 multi-family units, or projects that would generate fewer than 2,000 vehicle trips per day. The proposed project would add 28,555 sq.ft. of office space, 180 sq. ft. of retail space, and 9,280 sq. ft. of restaurant space,[15] and would generate daily vehicle trips below the daily trip threshold. Therefore, no detailed air quality analysis is needed, and no significant air quality impacts due to vehicular emissions would be generated by the proposed project.

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[14] See BAAQMD CEQA Guidelines, April 1996, Revised December 1999, page 25.

[15] The structure at 710 Market Street, with approximately 10,525 sq. ft. of office space and 4,060 sq. ft. of retail, has not had any long-term tenants in several years. For the purpose of traffic counts, as well as population counts, it is assumed to be vacant, so net changes in square footage are considered to be higher than for the project description and land use section.

Wind[16]

Winds in San Francisco are generally from the west, off the Pacific Ocean. Wind speeds in general, are greatest in the spring and summer, and least in the fall. Daily variation in wind speed is evident, with the strongest wind in the late afternoon and lightest winds in the morning.

Ground-level wind accelerations near buildings are controlled by exposure, massing, and orientation. Exposure is a measure of the extent that the building extends above surrounding structures in to the wind stream. A building that is surrounded by taller structures is not likely to cause adverse wind accelerations at ground level, while even a small building can cause wind problems if it is freestanding and exposed. Massing is important in determining wind impact because it controls how much wind is intercepted by the structure and whether building-generated wind accelerations occur above-ground or at ground level. In general, slab-shaped buildings have the greatest potential for wind problems. Buildings that have an unusual shape or utilize set-backs have a lesser effect. A general rule is that the more complex the building is geometrically, the lesser the probable wind impact at ground level. Orientation determines how much wind is intercepted by the structure, a factor that directly determines wind acceleration. In general, buildings that are oriented with their wide axis across the prevailing wind direction will have a greater impact on ground-level winds than a building oriented with its long axis along the prevailing wind direction.

The project site lies on the eastern end of the block and it is generally sheltered from prevailing winds due to the surrounding buildings on the project block to the west, as well as in the vicinity. For northwesterly winds and westerly wind, the existing structures directly upwind of the project site provide substantial shelter.

The project would have little potential to cause substantial wind accelerations at ground level. The site is substantially sheltered from prevailing winds, which limits the strength of any wind accelerations that would occur at ground level. Only the upper floors of the proposed western 10-story building would be partially exposed to prevailing winds, and any accelerations created would occur well above ground level where they would not affect pedestrians. Based on consideration of

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[16] Letter Report, *Wind Impact Evaluation for the Proposed 1 Kearny Street Project*, San Francisco, Donald Ballanti, Certified Consulting Meteorologist, November 1, 2004. This information is available for review by appointment in Project File No. 2004.0165E at the Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

the exposure, massing, and orientation, the proposed project does not have potential to cause significant changes to the wind environment in pedestrian areas adjacent or near the site.

Shadow

The proposed structure at One Kearny/710Market Streets would be a 10-story addition to the existing banking/office building. This would increase the amount of shadow on area streets and sidewalks at certain times of the day and year. Section 295 of the *Planning Code* was adopted in response to Proposition K (passed in November 1984) in order to protect certain public open spaces from shadowing by new structures during the period between one hour after sunrise and one hour before sunset, year-round. Section 295 restricts new shadow upon public spaces under the jurisdiction of the Recreation and Park Department by any structure exceeding 40 feet unless the Planning Commission finds the impact to be insignificant. To determine whether this project would comply with Section 295, a shadow fan analysis was prepared by the Planning Department which did not consider the effects of topography or intervening buildings. A subsequent computer study demonstrated that high-rise buildings would block any shadow from the project from reaching Union Square.[17] Thus, project-generated shadow would not reach any Proposition K protected properties. The proposed addition, however, would at times shade portions of Geary, Market, and Kearny Streets, as well as the sidewalks adjacent to the project site along these streets. The new shadows created by the project would not exceed levels commonly expected in urban areas, and would not be considered significant.

7. **Utilities/Public Services** – Could the project:	Yes	No	Discussed
a. Breach published national, state or local standards relating to solid waste or litter control?	☐	■	■
b. Extend a sewer trunk line with capacity to serve new development?	☐	■	■
c. Substantially increase demand for schools, recreation or other public facilities?	☐	■	■
d. Require major expansion of power, water, or communications facilities?	☐	■	■

[17] Charles Bennett, ESA, *710 Market Proposition K Shadow Analysis,* April 28, 2005. This information is available for review by appointment in Project File No. 2004.0165E at the Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

The proposed project would increase demand for and use of public services, but not in excess of amounts expected and provided for in this area.

Solid Waste

San Francisco's solid waste is disposed of at the Altamont Landfill. A substantial expansion of the landfill was approved in 1997 that will be able to accommodate San Francisco's solid waste stream well into the future. The solid waste associated with the project construction and operation would not substantially affect the projected life of the Altamont Landfill, and this impact would be less than significant. The proposed project would consist of office, restaurant, and retail uses, and the existing residential unit, and would not breach published national, state, or local standards relating to solid waste or litter control.

Sewer and Wastewater Treatment Plant Capacity

The project site is served by San Francisco's combined sewer system, which handles both sewage and storm water runoff. No major new sewer construction would be needed to serve the proposed project, and extension of a sewer trunk line with capacity to serve new development beyond the proposed project would not be required. Wastewater treatment for the east side of the City is provided primarily by the Southeast Water Pollution Control Plant. The project would meet wastewater pre-treatment requirements of the San Francisco Public Utilities Commission, as required by the San Francisco Industrial Waste Ordinance.[18] The project would have little effect on the total wastewater volume discharged through the combined sewer system, since the project is almost completely covered by the impervious surface of the paved parking lot, and storm water runoff (as opposed to wastewater) contributes greatly to the total flow. The project would not result in a substantial increase in demand for wastewater treatment, and thus it would not result in an associated significant impact.

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[18] City and County of San Francisco, Ordinance No. 19-92, San Francisco Municipal Code (Public Works), Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

Public Services

Police and Fire Protection

The project site presently receives police and fire protection services, and the addition of 28,555 sq.ft. of office space,[19] and 9,280 sq. ft. of restaurant space, for an increase of approximately 146 daytime population could slightly increase the demand for fire and police services in the area. (The expansion of the residential unit is not anticipated to increase onsite population.) Police service to the site is provided by the Southern Station, located at 850 Bryant Street (between Sixth and Seventh Streets). Although the project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity onsite, the increase in responsibilities would not likely be substantial in light of the existing demand for police protection services in the South of Market area. The nearest fire station is Station 1 at 676 Howard Street (near Third Street), approximately two blocks from the project site. Although the project could increase the number of calls received from the area or the level of regulatory oversight that must be provided as a result of the increased concentration of activity onsite, the increase in responsibilities would not be substantial in light of the existing demand for fire protection services in the Downtown area. Furthermore, the increase in demand would not require the construction of any new police or fire prevention facilities, and thus would not result in an associated significant impact.

Schools and Recreation Facilities

The proposed project's new office, restaurant, and retail space would not directly increase the residential and school-age population in San Francisco. Should some employees choose a San Francisco residence, they would either be moving into an existing residential unit or a new unit. In the case of a new unit, the impact of that residential development project would have been assessed already for potential school impacts and the project would have already paid the development impact fee.

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[19] The structure at 710 Market Street, with approximately 10,525 sq. ft. of office space and 4,060 sq. ft. of retail, has not had any long-term tenants in several years. For the purpose of population counts, as well as traffic counts, it is assumed to be vacant, so net changes in square footage are considered to be higher than for the project description and land use section.

Power and Communications Facilities

The proposed project would require typical utility connections and would tap into existing power and communications grids. Any relocation of utility connections would be completed without interruption of service to adjacent properties.

The project-generated demand for electricity would be small in the context of the overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. No new power or communications facilities would be necessary as a result of project implementation, and thus the proposed project would not result in an associated significant physical environmental effect.

Water Supply Facilities

The additional 28,555 sq.ft. of office space, 9,280 sq. ft. of restaurant space, and 3,250 sq. ft. of retail space,[20] of the proposed project would generate an estimated demand for about 4,800 gallons per day.[21] (The expansion of the residential unit is not anticipated to increase water demand on the site.) The proposed project would increase the demand for and use of water on this site, and would increase water consumption, but not in excess of amounts expected and provided for in the project area.[22] The new construction would be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the California State Building Code Section 402.0(c).

Because project water demand could be accommodated by the existing supply, it would not result in a substantial increase in water use, and the impact would be less than significant.

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[20] The structure at 710 Market Street, with approximately 10,525 sq. ft. of office space and 4,060 sq. ft. of retail, has not had any long-term tenants in several years. For the purpose of estimates based on population counts, as well as and traffic counts, it is assumed to be vacant, so net changes in square footage are considered to be higher than they are for the project description and land use sections.

[21] Office uses were estimated to use 18.3 gallons per employee-day, restaurant uses are estimated to use 82.5 gallons per employee-day, and retail uses are estimated to use 53.9 gallons per employee-day in a study undertaken by the San Francisco Public Utilities Commission, *City and County of San Francisco Retail Water Demands and Conservation Potential,* November, 2004, page 3 of Appendix B, Non-residential End-use Rate Summary Table of Appendix B, and Non-residential End-use Rates for San Francisco on page 3 of Appendix B, respectively. This report is available online at http://sfwater.org/detail.cfm/MSC_ID/16/MTO_ID/NULL/MC_ID/5/C_ID/2281/holdSession/1, and was accessed for this report on November 9, 2005.

[22] In Resolution 02-0084, adopted May 14, 2002, the San Francisco Public Utilities Commission determined that there is sufficient water supply to serve expected development projects in San Francisco through the year 2020, including the proposed project.

8. **Biology** – Could the project:	Yes	No	Discussed
a. Substantially affect a rare or endangered species of animal or plant, or the habitat of the species?	☐	■	■
b. Substantially diminish habitat for fish, wildlife, or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	☐	■	■
c. Require removal of substantial numbers of mature, scenic trees?	☐	☐	☐

The project site is within a developed area of the City, and is already covered by the lot-line to lot-line footprints of the three existing buildings. No known rare, threatened, or endangered plant or animal species or habitat is known to exist on the project site or surrounding properties. The project would not interfere with any resident or migratory species. No other important biological resources are likely since the site has been disturbed by humans for many years. Therefore, the project would not have a significant impact on rare, threatened, or endangered species or their habitats, or resident or migratory species or their habitats, and would not result in significant adverse impacts on biology.

9. **Geology/Topography** – Could the project:	Yes	No	Discussed
a. Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction)?	☐	■	■
b. Change substantially the topography or any unique geologic or physical features of the site?	☐	■	■

Seismically-Induced Hazards

It is likely that the project site would experience periodic minor earthquakes, and possibly a major (moment magnitude[23] [Mw] greater than 7) earthquake, on one or more of the nearby faults during the life of the proposed development. The project site is located approximately 8.5 miles northeast of the San Andreas Fault, 10 miles southwest of the Hayward fault, 12 miles east of the San Gregorio North fault, and 20.5 miles west of the Calaveras fault. The Working Group for California

[23] Moment magnitude is an energy-based scale and provides a physically meaningful measure of the size of a faulting event. Moment magnitude is directly related to average slip and fault rupture area.

Earthquake Probabilities estimated a 62 percent probability of an earthquake of Mw 6.7 or greater occurring in the San Francisco Bay Area by the year 2030.

The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known fault or potentially active fault exists on the site. In a seismically active area, such as the San Francisco Bay area, the remote possibility exists for future faulting in areas where no faults previously existed. Provided that the building foundations extend into bedrock, earthquake-induced ground surface settlement that would affect the building foundation would not be expected. Nevertheless, one purpose in constructing the 10-story addition at 710 Market Street, is to seismically brace the historic Mutual Savings Bank Building, and add seismic protection.

The project site is within a Special Geologic Study Area shown in the Community Safety Element of the *San Francisco General Plan* (Map 4, page I.4.9) that is designated as potentially liquefiable on a map titled "Zones of Liquefaction Potential, City and County of San Francisco," published by the California Department of Conservation, Division of Mines and Geology. However, the project site is not in an area subject to landslide hazards (Map 5 in the Community Safety Element).[24]

For any development proposal in an area of liquefaction potential, the Department of Building Inspection (DBI) will, in its review of the building permit application, require the project sponsor to prepare a geotechnical report pursuant to the State Seismic Hazards Mapping Act. The report would assess the nature and severity of the hazard(s) on the site and recommend project design and construction features that would reduce the hazards(s).

The final building plans would be reviewed by DBI. In reviewing building plans, DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of Special Geologic Study Areas and known landslide areas in San Francisco as well as the building inspector's working knowledge of areas of special geologic concern. The above-referenced geotechnical investigation would be available for use by DBI during its review of building permits for the site. Also, DBI could require that additional site-specific soils report(s) be prepared in conjunction with permit applications, as needed.

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[24] City and County of San Francisco, Community Safety Element, San Francisco *General Plan*, April 1997.

Surface and Groundwater

The water table in the vicinity is between 33 to 35 feet below ground surface.[25] There would be minimal excavation work to a depth of 32.5 feet below ground surface associated with the foundation work and elevator shaft at 710 Market Street. Thus, the proposed project has the potential to affect groundwater.

Any groundwater encountered during construction of the proposed project would be subject to requirements of the City's Industrial Waste Ordinance (Ordinance Number 199-77), requiring that groundwater meet specified water quality standards before it may be discharged into the sewer system. The Bureau of Systems Planning, Environment, and Compliance of the S.F. Public Utilities Commission must be notified of projects necessitating dewatering, and may require water analysis before discharge. Should dewatering be necessary, the final soils report would address the potential settlement and subsidence impacts of this dewatering. Based upon this discussion, the report would contain a determination as to whether or not a lateral movement and settlement survey should be done to monitor any movement or settlement of surrounding buildings and adjacent streets. If a monitoring survey is recommended, the Department of Public Works would require that a Special Inspector (as defined in Article 3 of the Building Code) be retained by the project sponsor to perform this monitoring.

Groundwater observation wells could be installed to monitor potential settlement and subsidence. If, in the judgment of the Special Inspector, unacceptable movement were to occur during dewatering, groundwater recharge would be used to halt this settlement. Costs for the survey and any necessary repairs to service lines under the street would be borne by the project sponsor.

The project site is not in an area subject to seiche or tsunami run-up or reservoir hazards (Maps 6 and 7 in the Community Safety Element).[26]

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[25] City and County of San Francisco, San Francisco Planning Department, *690 Market Street Final Negative Declaration,* Case No. 2003.0584E, February 11, 2004. This document is on file with the Planning Department, 1660 Mission Street, Suite 500, San Francisco, and is available for public review, by appointment, as part of the project file.

[26] City and County of San Francisco, Community Safety Element, San Francisco *General Plan*, April 1997.

For all of the above reasons, the proposed project would not result in a significant impact related to geology and soils.

10. **Water** – Could the project:	Yes	No	Discussed
a. Substantially degrade water quality, or contaminate a public water supply?	☐	■	■
b. Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	☐	■	■
c. Cause substantial flooding, erosion or siltation?	☐	■	■

The project would not substantially degrade water quality or contaminate a public water supply. All sanitary wastewater from the proposed buildings and storm water runoff from the project site would flow into the City's combined sewer system, to be treated at the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Treatment would be provided pursuant to the effluent discharge limitations set by the plant's National Pollutant Discharge Elimination System (NPDES) permit.

The proposed project would require minimal excavation for elevator shafts and footings. As discussed in 9. Geology/Topography, groundwater may be encountered during project construction, and dewatering may be required. However, potential degradation of groundwater quality as a result of dewatering during project construction would not occur due to the requirement of the Bureau of System Planning, Environment and Compliance (SPEAC) of the San Francisco Public Utilities Commission for retention of groundwater pumped from the project site in a holding tank, and analysis of the quality of this groundwater before it is discharged to the combined sanitary and storm drain sewer system. For these reasons, the project would not substantially alter existing groundwater quality.

Soil may be exposed during some short periods of site preparation. During construction, requirements to reduce erosion would be implemented pursuant to Building Code Chapter 33, Excavation and Grading.

The entire site is covered with the three existing buildings. Project development would not increase the coverage of impervious surfaces at the site, and therefore would not significantly increase the quantity and rate of storm water runoff from the site or significantly affect infiltration or groundwater recharge. For these reasons and because groundwater is not used as a drinking water supply in the City and County of San Francisco, the project would not substantially affect a public water supply or water resource. Storm water flows from the project could be accommodated by the existing combined sewer system, and the project would not cause substantial flooding or erosion.

Based on the information presented above, there would be no significant water quality, groundwater, flooding, or erosion impacts from the proposed project.

11. **Energy/Natural Resources** – Could the project:	Yes	No	Discussed
a. Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	■	■
b. Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	☐	■	■

The proposed project would consist of office, retail, restaurant, and residential uses. Development of these uses would not result in use of large amounts of fuel, water, or energy. The project would meet or exceed current state and local standards regarding energy consumption, including Title 24 of the California Code of Regulations enforced by DBI. For this reason, the project would not cause a wasteful use of energy, and would have a less-than-significant impact on energy and natural resources. No substantial environmental effects are expected from the proposed project.

Electric generation to serve the project would consume natural gas and coal fuel to generate electricity for the project. The project would not use substantial quantities of other non-renewable natural resources. It would not use fuel or water in an atypical or wasteful manner. Therefore, the project would not have a significant effect on the use, extraction, or depletion of a natural resource.

12. Hazards – Could the project:	Yes	No	Discussed
a. Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	☐	■	■
b. Interfere with emergency response plans or emergency evacuation plans?	☐	■	■
c. Create a potentially substantial fire hazard?	☐	■	■

Hazardous Materials Use

During operation, the proposed project would involve office, retail, restaurant, and residential land uses that would require relatively small quantities of hazardous materials for routine business and household purposes. The project would likely result in the use of common types of hazardous materials such as paints, cleaners, toners, solvents, and disinfectants. All of these products are labeled to inform users of risks, and to instruct them in proper disposal methods. Most of these materials are consumed or neutralized through use, resulting in little hazardous waste. Businesses are required by law to ensure employee safety by identifying hazardous materials, and adequately training workers. For these reasons, hazardous material use by the project would not pose a substantial public health or safety hazard, and the proposed project would not have a significant impact.

Hazardous Waste Studies

A Phase I Environmental Site Assessment (Phase I ESA) was prepared for the One Kearny Street site in 2000.[27] In 1995, the 710 Market Street Building was inspected for asbestos hazards and a Phase I ESA was prepared as well.[28] Both Phase I ESAs review and summarize previous environmental documents prepared for the same study area, list current and past operations, review environmental agency databases and records, report site reconnaissance observations, and summarize potential

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[27] Hillman Environmental Group, L. L. C., *Phase I Environmental Site Assessment for the 12-Story Office Building 1 Kearny Street,* San Francisco California, February 5, 2001. This report is on file with the Planning Department, 1660 Mission Street, San Francisco, and available for public review, by appointment, as part of the Project File No. 2004.0165E.

[28] Hygienetics Environmental Services, *Asbestos Inspection 710 Market Street - 31 Geary Street,* for Elizabeth McMahon, The Empire Group, April 27, 1995. Also, *Phase I Environmental Site Assessment Report* for 710 Market Street/31 Geary Street, San Francisco, CA 94108. These reports are on file with the Planning Department, 1660 Mission Street, San Francisco, and available for public review, by appointment, as part of Project File No. 2004.0165E.

contamination issues. The information available in these studies is summarized below. Finally, Certified Health Services reviewed their files in 1993 for the status of the facility at One Kearny Street regarding total asbestos abatement.[29]

Phase I ESA Conclusions. The studies did not identify any past uses of the site (One Kearny / 710 Market Street) that could have potential impacts on soil and groundwater. The studies revealed no evidence of current or past underground storage tanks (USTs) nor evidence of above ground storage tanks (ASTs) either on site or in the County files. No power transformers were observed. No reconnaissance or documented evidence was found to indicate that the project site was used to generate or dispose of regulated hazardous materials. Based on an environmental database search no hazardous releases from off-site sources were considered to represent environmental threats to the project site.

Asbestos. The Phase I ESAs concluded that the presence of asbestos was a recognized environmental condition identified for One Kearny Street buildings, and asbestos was recognized as an environmental condition for the 710 Market Street/31 Geary Street site. Samples of building materials revealed asbestos in the grey and silver roofing sealants, vinyl floor tiles, and boiler room insulation of 710 Market Street, and in the 9' x 9' floor tile located in the two basement levels and underneath the carpeting on each floor above the 1st floor in the One Kearny Street and Annex Building.

Two recommendations were developed in the case of continued building use or in the case of major renovation that could potentially disturb the asbestos-containing materials and/or demolition. For continued building use, the recommendation was to prepare an Operations and Maintenance Program. For renovation or demolition, the recommendation was that the asbestos-containing material should be removed by a licensed California asbestos abatement contractor in accordance with all applicable Federal, State, and local regulations.

Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated

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[29] Maurice Oberg, Dsc, PE, Senior Consultant, Certified Heath Services, letter Report to John Thompson, 1st Nationwide Bank, January 25, 1993.

compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAMQD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any demolition or abatement work. Notification includes the names and addresses of operations and persons responsible; descriptions and locations of the structures to be demolished/altered including size, age and prior use, and the approximate amounts of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation for which a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 sq.ft. or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material is required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California law, the Department of Building Inspection (DBI) would not issue the required permit until the applicant has complied with the notice requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

Lead. The Phase I ESAs concluded that the presence of lead-based paint was a recognized environmental condition identified for One Kearny Street. Demolition and renovation must comply with Section 3407 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building, or the interior of occupied buildings (E3, R1, or R3 occupancy classifications) built prior to or on December 31, 1978, Section 3407 requires specific notification

and work standards, and identifies prohibited work methods and penalties. Section 3407 applies to buildings or steel structures on which original construction was completed prior to 1979, which are presumed to have lead-based paint on their surfaces, unless a certified lead inspector/assessor tests surfaces for lead and determines it is not present according to the definitions of 3407. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the HUD Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Prior to commencement of work that disturbs or removes 100 or more square feet or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of the Department of Building Inspection with written notice that describes the address and location of the project; the scope and specific location of the work; the methods and tools for paint disturbance and/or removal; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential, and whether it is owner-occupied or rental property; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Post Sign notifying public of restricted access to work area; Notice to Residential Occupants; Early Commencement of Work [by Owner, Requested by Tenant].) The ordinance contains provisions regarding inspection and sampling for compliance by DBI and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures by the San Francisco Building Code would ensure that potential impacts of demolition and renovation, due to lead-based paint, would be reduced to a less-than-significant level.

Other Potential Hazardous Materials. The Phase I ESAs concluded that the presence of Polychlorinated Biphenyls (PCBs), contained in fluorescent lighting fixture ballasts, was recognized as an environmental condition for the 710 Market Street/ 31 Geary Street site. The proposed project includes demolition of the existing buildings that may contain mercury. Inadvertent release of such materials could expose construction workers, occupants, or visitors to these substances, which could result in various adverse health effects if exposure were of sufficient quantity. Although abatement programs similar to those described for asbestos and lead-based paint have not been adopted for PCB and mercury testing and cleanup, items containing PCBs and mercury that are intended for disposal must be managed as hazardous waste and must be handled in accordance with Occupational Safety and Health Administration (OSHA) worker protection requirements. Nonetheless, potential impacts associated with PCBs and mercury in structures would be considered potentially significant.

Hazardous building materials sampling and abatement, as described in Mitigation Measure No. 2, would reduce potential impacts of demolition associated with PCBs and mercury in structures to a less-than-significant level.

Fire Hazards

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. New buildings are required to meet current standards contained in these codes. The proposed project would conform to these standards, which would also include development of an emergency procedure manual and an exit drill plan.

Occupants of the proposed building would contribute to congestion if an emergency evacuation of the South of Market area were required. Section 12.202(e)(1) of the San Francisco Fire Code requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would have to conform to the provisions of the Building and Fire Codes which require additional life-safety protections for high-rise buildings.

Accordingly, potential fire hazards (including those associated with hydrant water pressure and emergency access) would be mitigated during the permit review process.

Emergency Response Plans

The project proposes to demolish and rebuild one of three existing buildings on site. The rebuilt 710 Market Street building would increase in height from three stories and 48 feet to 10 stories and 142 feet. In the case of an emergency, residents of the proposed building would contribute to congestion in the downtown area if evacuation were required. Section 12.202(e)(1) of the San Francisco Fire Code requires that all owners of high-rise buildings (over 75 feet) "shall establish or cause to be established, procedures to be followed in case of fire or other emergencies. All such procedures shall be reviewed and approved by the chief of division." Additionally, project construction would be required to conform to the provisions of the Building Code and Fire Code, which require additional life-safety protection for high-rise buildings.

Conclusion

Potential public health and safety hazards related to potential fire hazards in the new building would be reduced to a less-than-significant level by regulations and procedures already established as part of the review process for building permits. Potential impacts related to building materials would be reduced to less-than-significant levels with project compliance with state and City regulations related to contaminated building materials. No unusual hazardous materials or fire safety issues would result from project operation. Therefore, the project would not have significant impacts in this environmental area.

13. **Cultural** – Could the project:	Yes	No	Discussed
a. Disrupt or adversely affect a prehistoric or historic archeological site or a property of historic or cultural significance to a community, ethnic or social group; or a paleontological site except as a part of a scientific study?	☐	■	■
b. Conflict with established recreational, educational, religious or scientific uses of the area?	☐	■	■
c. Conflict with the preservation of buildings subject to the provisions of Article 10 or (proposed) Article 11 of the City *Planning Code*?	☐	■	■

Archeological Resources

The project site is located in an area sensitive for prehistorical resources and historical archeological deposits extending from at least the 1840s through the early 1900s. According to the project architect, the proposed project would require new footings for the new elevators that will go down approximately 10 feet below the existing sub-basement or approximately 32.5 feet below grade. The soils disturbance required for the project would be limited to footings for the elevator bank, but will extend deep enough to be of concern. Therefore, there could be the potential for adverse effects on subsurface archaeological resources due to earthmoving activities. A mitigation measure has been included herein to address the possible disturbance of subsurface cultural resources (see Mitigation Measure 3, pages 58 to 61). Implementation of this measure would reduce archeological impacts to a less-than-significant level.

Historic Architectural Resources

The 12-story Mutual Savings Bank Building at One Kearny was constructed in 1902. Although gutted by the fire in 1906, the building was structurally sound and not heavily damaged by the earthquake. Restored in 1906 by the original architect, William Curlett, the bank and office tower remained essentially unchanged until 1964 when Citizen's Savings and Loan retained architects Clark and Buettler and Charles Moore to rehabilitate the building. The interior was gutted and a new addition (the "Annex" Building) was constructed on the east wall for vertical circulation and toilets. Reception lobbies were relocated into the Annex from the main building. The Magee Building at 710 Market Street/31 Geary Street is a three-story steel-framed brick and concrete office/retail building with a basement level and flat roof, originally designed by Bliss and Faville in 1908.

The One Kearny Street/710 Market Street buildings were evaluated for their historic significance by historic resources consultant Page & Turnbull, and the analysis provided below is based on the *Historical Resource Evaluation Report* (the *"HRER"*) for the Mutual Savings Bank Building, dated June 21, 2004.[30] The information and conclusions from the HRER are presented and incorporated by reference here.

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[30] Page & Turnbull, *Historical Resource Evaluation Mutual Savings Bank,* June 21, 2004. This document is available for public review at the San Francisco Planning Department, 1660 Mission Street, Suite 500, by appointment, as part of the Project File No. 2004.0165E.

According to CEQA, a "project with an effect that may cause a *substantial adverse change* in the significance of an historical resource is a project that may have a significant effect on the environment."[31] Substantial adverse change is defined as, "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be *materially impaired.*"[32] The significance of an historical resource is materially impaired when a project "demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance" and that justify or account for its inclusion in, or eligibility for inclusion in, the *California Register of Historical Resources.*[33] Thus, a project may cause a substantial change in a historic resource but still not have a significant adverse effect on the environment as defined by CEQA so long as the impact of the change on the historic resource is determined not to materially impair the significance of the historical resource.

The Secretary of the Interior's *Standards for Rehabilitation & Illustrated Guidelines for Rehabilitating Historic Building* (the *Standards* and the *Guidelines,* respectively) provide guidance for reviewing proposed work to historic properties.[34] The *Standards* are used by federal agencies in evaluating work on historic properties which are availing themselves of a twenty percent federal tax credit for historic rehabilitation or for grant-in-aid development projects assisted through the National Historic Preservation Fund. The *Standards* have also been adopted by local government bodies across the country (including the San Francisco Landmarks Preservation Advisory Board) for reviewing and evaluating proposed work to historic properties under local preservation ordinances. They are a useful analytic tool for understanding and describing potential impacts of proposed changes to historic resources.

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[31] CEQA Guidelines subsection 15064.5(b) (emphasis added).

[32] CEQA Guidelines subsection 15064.5(b)(1) (emphasis added).

[33] CEQA Guidelines subsection 15064.5(b)(2).

[34] U. S. Department of Interior National Park Service Cultural Resources, Preservation Assistance Division, Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines for Rehabilitating Historic Buildings, 1992. The Standards, revised in 1992, were codified as 36 CFR Part 68.3 in the July 12, 1995 Federal Register (Vol. 60, No. 133). The revision replaces the 1978 and 1983 versions of 36 CFR 68 entitled The Secretary of the Interior's Standards for Historic Preservation Projects. The 36 CFR 68.3 Standards are applied to all grant-in-aid development projects assisted through the National Historic Preservation Fund. Another set of Standards, 36 CFR 67.7, focuses on "certified historic structures" as defined by the IRS Code of 1986. The Standards in 36 CFR 67.7 are used primarily when property owners are seeking certification for Federal tax benefits. The two sets of Standards vary slightly, but the differences are primarily technical and non-substantive in nature. The Guidelines, however, are not codified in the Federal Register.

Conformance with the *Standards* is not required to establish that a project would not cause a substantial adverse change in the significance of an historic resource. Rather, projects that comply with the *Standards* benefit from a regulatory presumption that such projects would have a less-than-significant impact on an historic resource.[35] Projects that do not comply with the *Standards* may or may not cause a substantial adverse change in the significance of an historic resource.

Assessment of One Kearny / 710 Market Street as an Historic Resource

At present, One Kearny Street – the Mutual Savings Bank Building is not a designated City Landmark, within any Historic District under Article 10 of the *Planning Code.*[36] However, it is designated as a Category I building in Article 11 of the *Planning Code.* Under the *Downtown Plan* the existing building is rated a Category I (individually significant) building. The building is part of the Kearny-Market-Mason-Sutter Conservation District per Article 11 of the *Planning Code.* It is listed by the California Office of Historic Preservation (OHP) in its *Directory of Properties in the Historic Property Data File for San Francisco County* with a status code of "3S," which indicates that it appears to be eligible for listing in the National Register as a separate property.[37]

Several major architectural surveys have taken place since the Mutual Savings Bank Building was remodeled in 1964. The *Here Today* survey (1968) described the building as "an excellent example of preservation combined with a thoughtful modern enlargement." The San Francisco Planning Department's *Architectural Quality Survey* (1976) assigned a rating of "5," the highest possible rating. In *Splendid Survivors* (1978), the building was assigned a rating of "A" (highest importance). According to the survey form only the original 1902 Citizens Savings Building was included in the evaluation.

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[35] CEQA Guidelines subsection 15064.5(b)(3).

[36] Article 10 of the *Planning Code* establishes the procedures by which structures are designated as San Francisco Landmarks and the procedures for review of changes proposed to designated landmarks.

[37] The difference between a Status Code '2' and '3' rating is important because only resources "formally determined eligible for, or listed in, the National Register of Historic Places" are automatically listed in the California Register of Historic Resources pursuant to Cal. Code of Regs. §4851(a)(1), Title 14, Chap. 11.5 and Cal. Pub. Res. Code §5024.1(d)(1). On August 15, 2003, SHPO issued revised historic status codes and a memorandum to clarify their proper application at the local level and in relation to the California Register. The memorandum clarified that a '2' rating applies to resources "formally determined eligible through a regulatory process," as opposed to resources with a '3' rating, which are those that appear eligible through a previous survey but have not been formally determined eligible. Thus, it appears that only resources rated '2' are automatically listed in the California Register.

The Magee Building (710 Market Street/31 Geary Street) was also surveyed. The *Splendid Survivors* Survey (Heritage Survey), 1977-78) assigned the building a rating of "D" (Minor or No Importance). The Downtown Area Plan rated the building as Category V or non-contributing. The building is a non-contributing building within the boundaries of the Kearny-Market-Mason-Sutter Conservation District per Article 11 of the San Francisco *Planning Code.*

The Mutual Savings Bank Building was constructed in 1902 to the designs of architect William Curlett. Although gutted by fire in 1906, the building was structurally sound and not heavily damaged by the earthquake. Restored in 1906 by Curlett, the bank and office tower remained essentially unchanged until 1964 when Citizen's Savings and Loan Retained architects Clark and Buettler and Charles Moore to rehabilitate the building. The interior was gutted and a new addition was constructed on the east wall. Vertical circulation, toilet rooms and reception lobbies were placed in the addition and the 1902 office building was dedicated exclusively to office space on the upper floors. The periods of significance are the construction of the Mutual Savings Bank Building in 1902 and the Charles Moore addition in 1964.

The character-defining features of the 1902 original building range as follows: a tripartite composition consisting of a two story rusticated granite base a Colusa sandstone-clad shaft and a double-height attic story with a multi-faceted mansard roof. The entire building is adorned with carved sandstone and molded terra cotta ornament derived from French Renaissance sources. The 1964 annex is a twelve-story reinforced concrete structure. It is articulated as two massive brick piers linked by a vertical band of anodized aluminum frame windows. The pier elements are clad in brown face brick. A standing seam aluminum-clad mansard roof punctuated by a small dormer window facing Kearny Street caps the roof of the addition.

The integrity of the 1902 and the 1964 buildings have been judged to retain integrity for the period of significance (1902 and 1964) for all of the criteria as follows: location, design, materials, workmanship, setting, feeling, and association. Both the original building and the addition appear to be in excellent condition.

The current buildings at One Kearny Street appear to be eligible for listing on the California Register under Criteria 1 (Events) and 3 (Architecture). The original Mutual Savings Bank Building built in

1902 had already been determined a historic resource. The historic significance of the 1964 Charles Moore addition had not been evaluated prior to this Historic Resource Evaluation. Constructed in 1902 and restored in 1906, the Mutual Savings Bank Building is significant under Criterion 1 as one of the only few buildings in downtown San Francisco to escape the 1906 Earthquake and Fire relatively intact. It is also significant under Criterion 3 as an early skyscraper designed in the French Renaissance Revival style by prominent architect William Curlett and for the 1964 addition by Clark & Beuttler and Charles Moore, designed in the spirit of Louis Kahn's "served/servant" theory. Moore convinced Citizen's Savings and Loan to save the 1902 building and design an addition that would be modern yet explicitly reference the historic design features of the Citizen's Savings Building. Finished in 1964, the addition was the first attempt at designing a contextual addition to a major downtown office building in San Francisco since the 1930s and the first postmodern structure in San Francisco.

Assessment of Project Impacts on Historic Resources

The original 1902 building is a known historic resource. Further, the 1964 addition – the Annex -- has acquired significance in its own right. Since the proposed project would not demolish either the 1902 building or the annex, but rehabilitate the historic exteriors of both buildings in conformance with the *Standards,* and construct an addition on the site of the 710 Market Street building which would be designed to be complementary to other historic buildings in the area, particularly the 690 Market Street rehabilitation and addition to the east, the proposed project would not have a significant adverse effect on the historic environmental resources.[38]

C. OTHER

	Yes	No	Discussed
1. Does the project require approval and/or permits from City Departments other than the Planning Department or Department of Building Inspection, or from Regional, State or Federal Agencies?	☐	■	☐

[38] Memorandum from Mark Luellen, Historic Preservation Technical Specialist, San Francisco Planning Department, to Joy Navarrete, Major Environmental Analysis, July 18, 2005. This information is available for review by appointment in Project File No. 2004.0165E at the Planning Department, 1660 Mission Street, Fifth Floor, San Francisco.

A discussion of approvals and permits necessary for the project is presented in the subsection on Compatibility with Existing Zoning and Plans, above, on pages 16 to 18. The proposed project would require Planning Commission authorization under *Planning Code* Section 309, which governs permit review in C-3 districts. It would require a variance under *Planning Code* Section 305 from the Section 138 open space requirements. The proposed project would require a zoning and height reclassification that would involve an amendment to the zoning and height maps of the *Planning Code*, and to the heights maps in the Downtown Plan section of the City's *General Plan.* The project would also require approval by the Department of Building Inspection for building and site permits, and the approval from the Department of Public Works for miscellaneous street permits and a condominium map.

Public Notice and Comment

On March 16, 2005, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the One Kearny Street/710 Market Street project site, tenants adjacent to the site, and other potentially interested parties. Concerns expressed include loss of views from office buildings. This issue has been addressed in Section 2. Visual Quality, page 23.

Overall, concerns and issues raised by the public in response to the notice were taken into consideration and incorporated into the Initial Study as appropriate for CEQA analysis. Comments regarding merits of the project and those that expressed support for or opposition to the project are not relevant to CEQA analysis of environmental impacts, but may be taken into account by the Planning Commission and other decision-makers as part of the project approval process. While local concerns or other planning considerations may be grounds for modification or denial of the proposal, in the independent judgment of the Department of City Planning, there is no substantial evidence that the project could have a significant effect on the environment.

D. MITIGATION MEASURES

	Yes	No	N/A	Discussed
1. Could the project have significant effect if mitigation measures are not included in the project?	■	□	□	■
2. Are all mitigation measures necessary to eliminate significant effects included in the project?	■	□	□	■

The following measures are necessary to avoid potential significant effects of the project and have been agreed to by the project sponsor:

Mitigation Measure 1

Construction Air Quality

The project sponsor shall require the contractor(s) to spray the site with water during demolition, excavation, and construction activities; spray unpaved construction areas with water at least twice per day; cover stockpiles of soil, sand, and other material; cover trucks hauling debris, soils, sand, or other such material; and sweep surrounding streets during demolition, excavation, and construction at least once per day to reduce particulate emissions. Ordinance 175-91, passed by the Board of Supervisors on May 6, 1991, requires that non-potable water be used for dust control activities. Therefore, the project sponsors shall require that the contractor(s) obtain reclaimed water from the Clean Water Program for this purpose. The project sponsors shall require the project contractor(s) to maintain and operate construction equipment so as to minimize exhaust emissions of particulates and other pollutants, by such means as a prohibition on idling motors when equipment is not in use or when trucks are waiting in queues, and implementation of specific maintenance programs to reduce emissions for equipment that would be in frequent use for much of the construction period.

Mitigation Measure 2

Hazards (PCBs)

The project sponsor would ensure that building surveys for PCB-containing equipment (including elevator equipment), hydraulic oils, and fluorescent lights are performed prior to the start of demolition. Any hazardous materials so discovered would be abated according to federal, state, and local laws and regulations.

Mitigation Measure 3

Archeological Resources

Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological

monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of *construction* can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archaeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archaeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or

B) An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.

- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, and MLD shall make all reasonable efforts to develop an agreement for the treatment of, with appropriate dignity, human remains and associated or unassociated funerary objects (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

E. IMPROVEMENT MEASURE

The project sponsor has agreed to implement the following improvement measure to reduce impacts of the project that were found in this Initial Study to be less than significant. The improvement measure identified in this Initial Study may be required by decision-makers as conditions of project approval.

Improvement Measure 1: Timing of Construction Truck Traffic

The following measure would minimize disruption of the general traffic flow on adjacent streets:

- To the extent possible, truck movements should be limited to the hours between 9:00 AM and 3:30 PM.
- The project sponsor and construction contractor(s) would meet with the Traffic Engineering Division of the Department of Parking and Traffic, the Department of Public Works, the Fire Department, the Police Department, and the Planning Department to determine feasible traffic mitigation measures to reduce traffic congestion and pedestrian circulation impacts during construction of the project.

F. MANDATORY FINDINGS OF SIGNIFICANCE

	Yes	No	Discussed
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or pre-history?	☐	■	☐
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	■	☐
3. Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.)	☐	■	■
4. Would the project cause substantial adverse effects on human beings, either directly or indirectly?	☐	■	☐

Cumulative analysis depends on a prediction of possible future environmental changes well beyond construction of the proposed project. The rehabilitation and residential addition at 690 Market Street

(across the intersection of Geary and Kearny Streets) would result in a net loss of approximately 16 or 23 vehicle trips during the weekday PM peak hour (depending on the project option chosen). The two proposed projects would result in approximately 1 or 8 cumulative net vehicle trips during the weekday PM peak hour, which would not be considered a significant traffic increase relative to the existing capacity of the local street system. The cumulative increase on transit ridership, parking demand, loading, pedestrian, and bicycle conditions would not be significant. The project would not be considered to contribute incrementally to cumulative regional air quality conditions, or to contribute to significant cumulative noise impacts. It would not contribute to a cumulatively considerable land use or visual impact. Any cumulative increase in the demand for public services and utilities and energy consumption would not be significant. The project would contribute to the cumulative but not significant increase in stormwater runoff in the area. The removal of any contaminants on the project site would improve the cumulative hazardous materials condition in the project area. The project would not have a cumulative effect on any archaeological or historic architectural resources in the area. For reasons stated above, the project would not have unavoidable environmental effects that are cumulatively considerable.

G. ON THE BASIS OF THIS INITIAL STUDY:

- ☐ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the City Planning Department.
- ■ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because the mitigation measures in the discussion have been included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Date: December 9, 2005

PAUL E. MALTZER
Environmental Review Officer
for
Dean L. Macris
Director of Planning

III. NEGATIVE DECLARATION AUTHORS AND PERSONS CONSULTED

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